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The Bombay Chronicle

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VOL. 1 NO 159. BOMBAY: WEDNESDAY, SEPTEMBER 3. 1913. ONE ANNA.

SHIPPING.

PENINSULAR & ORIENTAL S. N. COMPANY.

MAIL SERVICE.

LIST OF DEPARTURES

FROM BOMBAY FOR

MARSEILLES & LONDON,

WITH LIBERTY TO CALL AT

BRINDISI and MALTA.

Date of Sailing 2-30 p.m. 1913.	Steamers.	Tons.	Connecting at Aden with	Tons
6th September	Arabia ..	8000	.....	
13th "	India ..	8000	Macedonia...	10500
20th "	Arcadia ..	7000	.....	
27th "	Salsette ..	6000	Malwa ..	11000
4th October	Egypt ..	8000	.....	
11th "	Salsette ..	6000	Mooltan..	10000
18th "	Persia ..	8000	.....	
25th "	Salsette ..	6000	Morea ..	11000

All the above Steamers are fitted with WIRELESS TELEGRAPHY.

Passengers for Brindisi tranship to connecting steamers at Port Said.

Tenders leave the CARNAC BUNDER on the day of sailing All passengers must attend at the place at 1 p.m. for medical inspection by the Health Officer of the Port.

HOMEWARD PASSENGER SEASON, 1914.

Date of Sailing 2-30 p.m.	Steamers.	Tons.	Connecting at Aden with.	Ton
21st February.	Caledonia.	8000	H.....	..
28th "	Maloja ..	12500	.....	..
7 March.	Persia ..	8000	.....	
14th "	Salsette ..	6000	Marmora	10500
21st "	Macedonia	10500	.....	
28th "	Salsette ..	6000	Moldavia	10000
* 1st April.	Himalaya..	7000	.....	..
4th "	Arabia ..	8000	.....	
11th "	Salsette ..	6000	Medina	12500
18th "	Mantua ..	11000	.....	
25th "	Salsette ..	6000	Mongolia	10000
2nd May.	Cale louis	8000	.....	
9th "	Salsette ..	6060	Malwa	1100
16th "	Persia ..	8000	.....	..

*INTERMEDIATE PASSENGER STEAMER.

The S. S. "HIMALAYA." 7,000 tons, will leave BOMBAY, at 2 p.m., on WEDNESDAY, 1st April 1914, direct for MARSEILLES, PLYMOUTH and LONDON, conveying Passengers in ONE CLASS only at SPECIAL FARES.

	SINGLE-	RETURN.
	"A" rate "B" rate.	"A" rate "B" rate.
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For accomodation and further information apply to

A. H. FROOM,
Superintendent

Bombay.

NIPPON YUSEN KAISHA.

To Japan via Singapore, Hongkong and Shanghai.

Steamer.	Captain.	Tons.	Arrival.	Departure.
Yawata Maru	A. Christiansen	6153	14th Aug.	6th Aug.
Penang Maru.	S. Murazumi.	5500	24th Aug.	5th Sept.
Jinsen Maru	J. C. Richards.	3785	7th Sep'	19th Sept.
Bombay Maru	Y. Tozawa	4625	21st Sept.	3rd Octr.
Kamakura Maru	T. Hori.	6126	5th Octr.	17th Octr.
Rangoon Maru	Y. Kameshita	1936	19th Octr	31st Octr.
Kawachi Maru	A. Christiansen	6163	2nd Nov.	14th Nov.
Penang Maru	S. Murazumi	580	16th Nov.	28th Nov.

For Freight apply to—
T. IBUKIYAMA,
Manager,
York Building,
Hornby Road, Bombay.

THE

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LIMITED,

MEDOWS STREET, FORT.

BOMBAY.

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Intend to despatch Steamers as follows:—

FOR KARACHI.
WEEKLY FROM VICTORIA DOCK.

Steamer	Tons	Sailing Date.	Time	Route
DUMRA ..	1695,	Thu, 4th Sept,	9 a. m,	Direct
LHASA ..	2185	Fri, 5th Sept.	*6 a.m.	Direct

*Or. later on arrival of English mail steamer.

FOR KARACHI AND BUSREH (weekly).

S.S. "Dumra," 1,695 tons, on Thursday, 4th September, calling at Muscat, Bushire and Mahomerah.

FOR KARACHI AND PERSIAN GULF PORTS.
(Weekly.)

S.S. "Barjora," 3,164 tons, on Thursday, 4th September calling at Karachi, Gwadur, Muscat, Jask, Bunder Abbas, Henjam, Linga, Dubai, Bahrein, Bushire, Koweit, Mahomerah and Busrah.

FOR SEYCHELLES EAST AND SOUTH AFRICA.
(Fortnightly)

Steamer	Tonnage	Sailing on
*PALAMCOTTA	3413	Thursday, 4th Sept
†LINDULA ..	3358	" 18th "
*PENTAKOTA..	3418	" 2nd October
†PUNDUA ..	3305	" 16th October

*Calls at Seychelles, Mombasa, Zanzibar, Mozambique, Beira, Delagoa Bay, and Durban

†Calls at Lamoo Mombasa, Zanzibar, Beira Bay and Durban.

Passengers may book through to Cape Colony ports transhipping at Durban to the steamers of the Union Castle or other Line.

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S. S. CHINDWARA 5,192 tons, on or about 3rd September, 1913.

FOR RANGOON OR CALCUTTA. (Direct.)

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3rd September, 1913.

161

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Rates for short deposits and information regarding terms of any other Banking business to be ascertained on application.

JAINARAYAN HINDUMAL DANI,
Managing Director.

100

THE CREDIT BANK OF INDIA, LIMITED.

Subscribed Capital ..... Rs. 50,00,000
Capital Paid-up ..... Rs. 10,00,000
Reserve Fund ..... Rs. 32,500

HEAD OFFICE.

7, Green Street, Fort, Bombay.

Branches and Agencies:—London, Ahmedabad, Baroda, Bhavnagar, Bussorah, Calcutta, Cawnpore, Hyderabad (Sind), Junagadh, Karachi, Kalbadevi (Bombay, Lucknow, Mandvi (Bombay) Navsari, Rajkot, Sukkur, Surat and Wadhwan Camp.

CURRENT DEPOSIT ACCOUNTS.

Current Accounts opened and interest allowed on daily balances from Rs. 500 to Rs. 1,00,000 at the rate of 2½ per cent. per annum and on sums over Rs. 1,00,000 by special arrangements. No interest which does not amount to Rs. 2 per half year will be allowed.

SAVINGS BANK.

Interest allowed at 4 per cent. p. a. Rules on application.

FIXED DEPOSITS.

Rate for fixed deposits for 12 months 5 per cent., and shorter periods to be ascertained on application.

LOANS, OVERDRAFTS, & CASH CREDITS.

The Bank grants accommodation, on terms to be arranged against approved security.

The Bank undertakes on behalf of its constituents the safe custody of Shares and Securities and the collection of Dividends and interest thereon. It also undertakes the sale and purchase of Government Paper and all descriptions of Stock at moderate charges, Particulars of which may be had on application.

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JAFFER JOOSAB,
Manager.

BANK OF BOMBAY.

SAVINGS BANK.

The Bank receives Deposits on the following terms:—

Sums not exceeding Rs. 1,000 in the aggregate may be deposited within any one year from 1st January to 31st December.

Deposits may be made in the names of two or more persons and the balance made payable to one or more of them or to the survivor or survivors. Interest is allowed at the rate of three per cent. per annum on the minimum monthly balance not exceeding Rs. 5,000.

Copies of the Rules can be obtained on application at the Bank.

J. EGGBIN,
Secretary and Treasurer

THE EASTERN BANK LIMITED.

SAVINGS DEPOSIT ACCOUNTS.

The Bank receives Savings Deposits on the following terms:—

Interest is allowed at the rate of 3½ per cent per annum on the minimum balance, up to but not exceeding Rs. 3,000 at the credit of an account between the 6th and last business days of each calendar month.

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Snowflake 150 deg.....	6 0 2	per case.
White Rose 150 deg...	5 12 2	do.
Crown Brand 125 deg	5 2 2	do.
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Elephant Brand 125 deg (in tins)	4 5 0	do.
do. do. 125 deg (in bulk)	3 11 0	per 8 gals.

The Company's Local Agents sell all or any of the above oils at the prices stated. Deliveries of bulk oil on Malabar Hill, and Cumballa Hill are made at half an anna extra charge for coolie hire to cover the increased cost of haulage.

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A. STREET, F.R.C.S., LT. COL., I.M.S.,
Senior Medical Officer,
J. J. Hospital.
Bombay, 2nd September, 1913.

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INSEIN,
2nd Sept. 1913.

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THE DEWAN,
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INADMISSIBLE ADVERTISEMENTS.

THE MANAGER reserves the right to refuse any advertisement without assigning reasons for doing so.

WESTERN INDIA TURF CLUB.

NOTICE.

THE NEXT HALF-YEARLY GENERAL MEETING of the Club Members of the Western India Turf Club, will be held at the Race Course, Poona, at 8-30 a.m. on Saturday the 20th September, 1913, (Governor's Cup Day).

By Order,
J. E. HUGHES,
Major,
Secretary,
Western India Turf Club.
Poona, 23rd August, 1913.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY.

TESTAMENTARY AND INTESTATE JURISDICTION.

GEORGE V by the Grace of God of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, King Defender of the Faith, Emperor of India.

Petition for Probate of the last will and two Codicils of Motibai alais Ladhibai widow of Thaker Gopal Ramji late of Bombay Bhatia Hindu Inhabitant unemployed. ..... Deceased.

1. Sheth Abji Umersey residing at Moodi Bazaar outside the Fort . .....
2. Thaker Vassanji Velji residing at Moodi Bazar aforesaid. ....
3. Thaker Dharamsi Keshavji residing at Dubda Gully in the Moolji Jetha Market outside the Fort, ...and.....
4. Thaker Damoder Jagjivan temporarily residing at Moodi Bazar aforesaid, the first 3 of Bombay and the last one of Jamnagar Bhatia Hindu Inhabitants, merchants 4 of the executors appointed by the will and Codicils of the deceased abovenamed according to the tenor thereof..... Petitioners.

All persons claiming to have any interest in the estate of the above named deceased are hereby cited to come and see the Proceedings, if they think fit, before the Grant of Probate.

Witness Sir Basil Scott, Knight, Chief Justice at Bombay aforesaid this twenty-eighth day of August in the year of our Lord One thousand Nine hundred and thirteen and in the fourth year of our Reign.

(Sd.) A. M. KAJIJI,
Registrar.

Seal of the High Court at Bombay.

The 28th day of August 1913.

Messrs. MADHAVJI KAMDAR & CHHOTBHAI.
428. Petitioners Attorneys.

BOMBAY, BARODA & CENTRAL INDIA RAILWAY.

REVISED TIME TABLE FROM THE 1ST OF SEPTEMBER 1913.

ACCELERATED SERVICE BETWEEN BOMBAY AND DELHI, LAHORE, RAWALPINDI AND PESHAWAR. AND Via DELHI (THROUGH CARRIAGE) TO MEERUT AND SAHARANPUR.

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Down. North-Western Fast Express. 1.2.3. H.S.	Down. North-Western Express. 1.2.3. H.M.	Stations.	Up North-Western Express. 1.2.3. H.M.	Up North-Western Fast Express. 1.2.3. H.M.
21-0	21-45	Dep. Bombay (Colaba)	Arr. 8-50	6-45
23-30	5-55	Arr. Delhi	Dep. 6-0	21-10
1-23	..	Arr. Meerut Cantt.	Dep. 2-11	..
3-27	..	Arr. Saharanpur	Dep. 25-5	..
9-7	..	Arr. Lahore	Dep. 20-20	..
15-50	..	Arr. Rawalpindi	Dep. 13-32	..
20-13	..	Arr. Peshawar Cantt	Dep. 8-48	..

S. C. G WOOD,
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To suit all Pockets, Purposes and Tastes.
BELSIZE, AUSTIN, B. S. A.
SUNBEAM. STUDEBAKER.
From Rs. 2,500 to Rs. 15,000.
Trial Runs on any of above cars by arrangement with
HILL, SAWYER & CO.,
Rampart Row, Fort.
Tel. 1134.
183. A.

NOTICES.

THE JIVRAJ BALLOO SPINNING & WEAVING COY. LTD.

NOTICE IS HEREBY GIVEN that in pursuance of a resolution passed at the Ordinary General Meeting of the Company, held this day, a Dividend at the rate of Rs. 20 per whole share and Rs. 5 per one-quarter share, for the year ending 31st March, 1913, will be paid on and after Wednesday the 3rd September, 1913, at the Registered Office of the Company, No. 9, Green Street, Fort, between the hours of 12 noon and 3-30 p.m. (B.T.), to those shareholders whose names stand in the Register, this day, on production of share certificates.

By order of the Board of Directors,
ABDOOLABHOY JOOMABHOY
LALLJEE & CO.,
Agents.
Bombay, 19th August, 1913. 0385

BOMBAY MUNICIPALITY.

LOAN NOTIFICATION.

Particulars and conditions of two 4 per cent Loans having a currency of 40 years each.

(1) The first Instalment of Rs. 35 Lakhs of the 70 Lakhs Loan for Reduplication of the Tansa Water Works Main and other Auxiliary works, repayable in 40 years ending 1st June, 1954.

(2) The first instalment of Rs. 10 Lakhs of the 20 Lakhs Loan for Street Improvements, repayable in 40 years ending 1st May, 1955.

WITH THE SANCTION of the Government of India, the Municipal Commissioner on behalf of the Municipal Corporation of the City of Bombay, hereby invites tenders for the above Loans.

2. The Loans are to be raised on the security of the General Revenues of the Bombay Municipality subject to any prior charges in respect of balances of previous Loans not yet fully paid off.

TENDERS.

3. Tenders for the whole or any portion of the above Loans will be received by the Municipal Commissioner upto 12 o'clock (noon) Bombay Time on Tuesday the 9th September, 1913. Tenders must be for sums of Rs. 500 or multiples of Rs. 500.

4. Each tender must be addressed to the Municipal Commissioner for the City of Bombay and enclosed in a sealed cover superscribed.

(I) "Tender for Rs. 35 Lakhs of the 70 Lakhs Loan for Reduplication of Tansa Main."

(II) "Tender for Rs. 10 Lakhs of the 20 Lakhs Loan for Street Improvements."

The superscription should be strictly adhered to.

5. The rate at which each tender is made must be specified in Rupees or Rupees and Annas; it must not contain a fraction of an anna; if a rate containing a fraction of an anna is inserted in any tender, such fraction will be struck out and the tender treated as if the rate did not contain such fraction of an anna.

6. The Municipal Commissioner does not bind himself to accept the highest or any tender or tenders and further reserves to himself the right to accept the whole, or such portion only, as he may think proper, of any sum tendered for.

7. Tenderers, whose tenders are accepted will have to pay into the Chief Accountant's Office the whole amount of the tender not later than the

(1) 30th November, 1913, in respect of the loan for 35 Lakhs for the Reduplication of Tansa Main.

(2) 31st October, 1913, in respect of the loan for 10 Lakhs for Street Improvements.

8. In the event of any of the above Loans being over-subscribed, the amount allotted at the lowest rate at which tenders are accepted will be divided amongst those who have tendered at this rate, in proportion, as nearly as may be found convenient, to the amounts of their tenders, provided that no allotment will be made in respect of any portion of a tender thus distributable which amounts to less than Rs. 500.

DEPOSITS.

9. A sum equal to 2 per cent. on the par value of the debentures tendered for must be deposited with each tender. A separate deposit must be made in respect of each tender. Interest will not accrue until payment of the tendered amount in full is made, as specified in clause 7.

10. Deposits must be in one of the following forms:—

(a) Cash or Currency Notes.

(b) A cheque drawn in favour of the Municipal Commissioner on a Bank in Bombay.

(c) Government Promissory Notes, Municipal, Port Trust or Bombay Improvement Trust Debentures, blank endorsed.

11. Deposits not being Government Promissory Notes, or Municipal, Port Trust or Bombay Improvement Trust Debentures, will, in the case of tenders accepted either wholly or in part be credited in part payment of the total amount of an accepted tender.

12. If, after the acceptance of any tender either wholly or in part, the allotment is not fully taken up by the date specified above, the deposit in connection with the tender will be forfeited.

13. Deposits on tenders which may not be accepted, either wholly or in part, will be returned without interest, on application to the Chief Accountant, Bombay Municipality.

INTEREST AND SINKING FUND.

14. Interest will be paid half yearly in Bombay at the rate of 4 per cent. per annum and a sufficient sum will be set aside annually and invested, in such manner as may be authorized by the law for the time being in force, to provide for the payment of the whole of the principal of the Loans on the dates of repayments mentioned above.

15. Interest will accrue on accepted tendered amounts only from the dates of payment in full into the Chief Accountant's Office and will be paid in Bombay, by the Bank of Bombay, or such other Agent or Agents as may be appointed by the Corporation from time to time in that behalf, as follows:—

(1) With regard to the Loan of Rs. 35 lakhs for Reduplication of Tansa Main, from the date of payment in full to the 30th November, 1913, on 1st December, 1913, and thereafter on the 1st June and 1st December of each year.

(2) With regard to the 10 Lakhs Loan for Street Improvements, from the date of payment in full to the 31st October, 1913, on 1st November, 1913, and thereafter on the 1st May and 1st November of each year.

16. To each tenderer whose tender is accepted either wholly or in part, and who pays the amount of the accepted tender on or before the dates specified in clause 7 above, scrip receipts for payments made will be granted by the Chief Accountant, Bombay Municipality. Debentures will be issued in exchange for such receipts as soon as possible.

17. Forms of tender can be obtained on application at the Chief Accountant's Office.

J. CREERAR,
Municipal Commissioner for the City of Bombay.
Municipal Commissioner's Office,
Bombay, 22nd August, 1913. 0382

AMUSEMENTS.

THE EXCELSIOR.

(At 6-30, 8-30 and 10 p.m.)
Great Detective Story,
"THE MAZE of MYSTERY."
A Film in Three Parts of sustained Interest—a clever story, superbly mounted and acted.
WIFFLES' PIGTAIL, AND WHAT A PIGTAIL!
PATHE'S GAZETTE.
More interesting than ever.
147

ROYAL OPERA HOUSE.

Re-opening:
Saturday, 6th September.
TWO PERFORMANCES
6-45 and 10 P.M.
Programme: Cinema.
NOTE:—At the special desire of the elite of Bombay for its earliest possible re-opening, this favourite place of amusement is re-opened during the course of the preparations of the contemplated additions.

ROYAL OPERA HOUSE.

The advertised opening date postponed it being found impossible to give performances during the preparations of the contemplated additions. The opening date will be announced hereafter.

AUCTION SALE.

CRAWFORD & CO.,
16, APOLLO ST., FORT.

AUCTION SALE OF LARGE STOCK OF RICH COTTON AND SILK, VELVET AND PLUSH, KNITTING SILK THREAD, FANCY BORDERS, CARRIAGE RUGS, SHOP FURNITURE, ETC.

Under instructions from R. D. Sethna, Esq., the Official Assignee and Assignee of the Estate of Ezra Abdula Yamin Turkey, an Insolvent, Messrs. CRAWFORD, & Co., will sell by Public Auction on TUESDAY the 9th, and WEDNESDAY, 10th, day of September, 1913, at 2-30 p.m. (S.T.), the goods of the above Insolvent, lying in the Shop, at Shaikh Memon Street, out of Fort (next to Muljee Jeetha's Cloth Market), such as large quantity of French and German Cotton and Silk, plain velvet of black and various fancy light and dark colours, flowered and striped velvets, plush of various colours, knitting silk thread, tapestry, China silk, bundles of fancy borders, carriage rugs, also large stock of Astrakhan and Turkish Caps, shop furniture, iron safe, clock, foot sewing machine, etc.

A deposit of 25 per cent. will be required at the time of sale and the balance to be paid for and delivery to be taken of, within two days after the day of sale.

CRAWFORD & CO.,
Auctioneers.

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"I find it is quickly absorbed by the skin, and spreads easily, which is a great advantage, especially when one is in a hurry," writes a lady, of Pomeroy Day Cream. To cool and cleanse the face, and protect the complexion from roughness, many ladies are using this refreshing cream. It is safer to use than soap and water, as it does not dry up the skin, but, on the contrary, cleanses the pores, and gives a delightful smooth suppleness, which is a great protection against wrinkles. Pomeroy Day Cream has a refined, evanescent perfume, and although quickly absorbed contains no grease. It is very effectual in preventing objectionable shininess of the face when a hot room has to be entered. Pomeroy Day Cream is sold in pretty vases by Chemists and Perfumers.

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OBJECT.—The object of the fund is to enable married persons to make provision after their death for their wives in the shape of a monthly pension for life. Subscriptions are based upon a very low scale. No distinction between European and Indian lives. Funds are invested in Government and other approved Securities. Thirty per cent. of the total subscription is refunded to a subscriber in the event of his wife predeceasing him. Twelve months' grace is allowed for paying subscription in the event of a subscriber losing his employment. Liberal commission is offered to Canvassers.

GAJANAN SADANAND DESAI,
Secretary and Treasurer.

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DAILY WEATHER REPORT.

For the 2nd Sep. 1913.

The Punjab.—Local rain has fallen in the east Punjab; Delhi records 0.76" of rain. Skies are clear in the south-west Punjab and moderately clouded elsewhere. The air is damper than usual at Lahore. Both day and night temperatures are in defect at Multan. Day temperature is below normal in the north Punjab.

The United Provinces.—Cawnpore records 0.26" of rain. Skies are heavily clouded at Jhansi and clear or lightly clouded elsewhere. Humidity and temperature are normal.

Sind and Rajputana.—Fairly general rain has fallen in Rajputana; Bikaner has had 0.32" and Ajmer 0.77". Skies are lightly to moderately clouded. The usual amount of moisture is present in the air. Day temperature is in defect at Jacobabad.

Gujarat, Kathiawar and Central India West.—Rainfall has been nearly general in West Central India; Neemuch has had 0.22" and Indore 0.56". Skies are moderately to heavily clouded. Humidity is normal. Maximum temperature is in defect at Bhuj and Rajkot.

The Central Provinces.—Nearly general rain has fallen; Saugor has had 0.29", Hoshangabad 0.56", Khandwa 2.47", Akola 3.06", Amraoti 1.28", Nagpur 0.29", Chanda 0.82" and Raipur 0.43". Skies are moderately clouded in the north-eastern districts and heavily clouded elsewhere. The moisture in the air is either equal to or below the average. Day temperature is in defect in the southern half of the division and at Khandwa.

The Konkan.—Rainfall has been nearly general; Bombay has had 0.65", Ratnagiri 0.75", Mormugao 0.16" and Karwar 0.48". Skies are heavily clouded in the north Konkan and moderately clouded in the south Konkan. Humidity and temperature are normal.

The Bombay Deccan and Hyderabad.—Rainfall has been nearly general in the northern half of the division; Malegaon has had 0.60", Ahmednagar 0.35", Poona 0.12", Aurangabad 1.96" and Nizamabad 0.24". Skies are moderately to heavily clouded. The moisture in the air is either equal to or above the average. Day temperature is in defect in the area of rainfall.

General Remarks.—The depression has become diffused and a large area of low pressure is shown today over the Central and the south-west United Provinces and the southern half of West Central India. Rainfall associated with the depression has been nearly general in the Central Provinces, West Central India, north Hyderabad and the north Bombay Deccan. Precipitation has increased and been nearly general also on the west coast of the Peninsula. Fairly general rain has fallen in Rajputana and local rain in the East Punjab. Isolated showers have been reported in the west United Provinces.

Nearly general rain is likely on the west coast of the Peninsula and in the West Central India and the western half of the Central Provinces fairly general rain in the north Bombay Deccan, north Hyderabad and Gujarat; local rain in south Rajputana; some showers in Kathiawar the south Bombay Deccan, and possibly in the south United Provinces and the east Punjab

OBSERVATIONS TAKEN at 8 a. m. ON TUESDAY, the 2nd of September 1913.

STATIONS.	Temp in Shade. Maximum of past 24 hours.	Temp in Shade. Minimum of past 24 hours.	Humidity. 8 A.M.	Rainfall Past 24 hours.	Rainfall Total 1st June to date.	Rainfall Variation 1st June to date.
PERSIAN AREA—						
Bushire	..	..	..	..	..	..
Do. (1st)	93.3	78.5	90	..	0.00	—0.01
Jask	98.3	83.3	92	..	0.00	—0.06
Muskat	..	..	..	..	..	..
PUNJAB—						
Multan	96.8	76.0	72	..	10.28	+5.86
Rawalpindi	87.9	74.6	83	..	22.77	+3.37
Lahore	89.4	76.2	85	..	17.97	+5.02
Sirsa	98.8	75.5	73	0.05	15.78	+6.40
Ambala	?	76.9	77	0.04	28.21	+8.22
Delhi	89.5	76.8	81	0.76	13.56	—5.89
UNITED PROVINCES—						
Agra	..	..	..	..	..	..
Mainpuri	90.3	82.3	91	..	10.37	—9.32
Jhansi	91.6	77.5	79	..	8.76	—20.26
Cawnpore	90.1	77.5	81	0.26	15.10	—10.57
Allahabad	91.6	77.5	76	..	19.66	—9.55
SIND AND RAJPUTANA—						
Jacobabad	98.6	79.8	62	..	2.91	0.73
Karachi	85.0	76.0	86	..	12.01	+6.29
Ajmer	91.6	77.7	84	0.77	10.21	—6.43
Jaipur	94.2	78.1	73	..	12.12	—6.64
Kotah	91.6	78.6	79	0.09	14.56	—6.96
GUJARAT, KATHIAWAR AND CENTRAL INDIA WEST—						
Bhuj	84.0	74.0	84	..	32.63	+21.00
Dwarka	83.8	?	88	0.03	15.79	+3.00
Veraval	82.1	76.3	80	..	24.89	+9.01
Rajkot	84.6	72.8	88	..	26.31	+4.26
Bhavnagar Para.	90.5	75.3	91	..	32.04	+15.83
Surat	88.9	76.6	96	0.06	33.78	+0.34
Ahmedabad	91.6	77.7	94	0.06	29.29	—3.08
Deesa	90.3	76.4	87	..	33.23	+13.31
Neemuch	88.4	73.8	86	0.23	22.05	—0.45
Indore	84.6	72.6	93	0.56	35.74	+12.17
CENTRAL PROVINCES—						
Jubbulpore	87.3	73.3	81	0.04	30.26	—13.21
Saugor	81.3	73.6	84	0.29	21.89	—13.56
Hoshangabad	83.6	75.4	85	0.53	35.49	—1.62
Khandwa	..	..	..	..	..	..
Akola	74.2	72.0	93	3.06	25.15	×2.54
Amraoti	74.8	71.3	96	1.28	32.38	+8.95
Nagpur	84.6	71.3	95	0.29	42.31	-6.63
Chanda	77.5	71.5	85	0.82	48.81	+10.12
Raipur	84.7	73.6	88	0.45	33.71	—3.32
KONKAN						
Bombay	82.6	76.2	92	0.65	63.51	+4.32
Ratnagiri	84.3	73.4	83	0.75	64.94	—19.66
Mormugao	84.5	74.7	91	0.16	78.43	+0.15
Karwar	83.7	74.5	84	0.48	81.33	—19.50
BOMBAY DECCAN AND HYDERABAD—						
Malegaon	78.9	71.1	94	0.60	12.03	—1.04
Ahmednagar	74.6	68.0	91	0.35	18.34	+6.76
Poona	81.5	68.8	91	0.12	21.82	+5.98
Sholapur	87.8	72.1	68	..	10.69	—4.38
Bijapur	92.2	70.3	73	..	8.95	+0.60
Belgaum	77.8	65.5	85	..	31.01	—2.89
Aurangabad	75.9	69.0	95	1.96	18.59	×0.75
Nizamabad (Indur).	74.9	69.7	83	0.24	34.66	+7.89
Hyderabad	82.8	72.2	72	..	12.93	—4.72
MALABAR COAST AND CEYLON—						
Mangalore	82.3	73.3	91	0.66	78.43	—20.68
Calicut	81.8	74.6	95	1.47	66.48	—15.36
Cochin	83.7	74.7	84	0.53	64.60	+0.05
Colombo	85.5	77.5	86	..	12.65	—3.84
MADRAS (EXCLUDING MALABAR) AND MYSORE—						
Masulipatam	99.8	77.2	69	..	7.31	—10.63
Bellary	94.0	73.3	59	..	3.07	—3.24
Cuddapah	99.5	70.5	50	..	5.42	—3.24
Madras	102.0	80.5	58	..	3.96	—7.32
Bangalore	86.3	65.8	85	..	9.61	—3.24
Coimbator	90.4	72.3	90	..	2.83	—1.42
Trichinopoly	101.1	78.8	58	..	1.98	—5.37
Negapatam	96.7	79.2	79	..	6.74	—0.56

Are you in office all day—Smoking, too? You probably have frequent headaches but they needn't last long—Stearns' Headache Cure gives quick relief.

ALL-INDIA WEATHER.

(ASSOCIATED PRESS.)

SIMLA, Sept. 2.

The centre of depression in the Peninsula has moved slowly into the neighbourhood of Hoshangabad and has given moderate rainfall in the central parts of the country. A second depression was formed yesterday in Burma and moved into the Bay. The rainfall has been nearly general in Lower Burma, west Rajputana, Central India, Central Provinces, West Coast, North Hyderabad; fairly general in Orissa, north Bombay-Deccan; and local in Upper Burma, also occurred in the United Provinces, the Punjab, northeast Baluchistan and Mysore.

The principal amounts are:—Moulmein, Rangoon, Bassein, Kyaukpya and Akyab two inches; Diamond Island four; Mergui one; Thayetmyo one and a half; Minbu one; Chittagong and Meerut one and a half; Delhi three-quarters; Simla one; Montgomery a half; Bikaner a quarter; Jodhpur one and a half; Mount Abu two; Ajmer three-quarters; Indore a half; Buldana four; Akola three; Amraoti one and a half; Khandwa two; Pachmarhi one; Chanda three-quarters; Malegaon a half; Aurangabad two; Mercara one and Calicut one and a half.

Forecast:—A decrease in rainfall in Rajputana and Gujart.

TEMPERATURE IN BOMBAY.

GOVERNMENT OBSERVATORY, COLABA, BOMBAY, 1st September 1913.

Means of observations taken at 6 a.m., 10 a.m. 2 p.m., 4 p.m. and 10 p.m.

Barometer corrected to 32 deg. Fahr	inches	29·714
Temperature of Air	degrees	78·7
Wet Bulb Thermometer	"	75·5
Dew Point	"	74·3
Relative humidity of Air	..	0·864
Extent of cloudy sky (the whole sky cloudy—10)	..	8·8
Maximum temperature of Air degrees	..	82·6
Minimum do. do.	..	76·8
General direction of Wind from midnight to midnight	..	WNW
Movement of Wind from midnight to midnight	miles	214
Fall of Rain	inches	0·20
Total fall during month	..	0·20
Total fall during year	..	63·06
Additional fall of rain up to 10 a.m of 2nd September	..	0·98

STANDARD BAROMETER READING.

The following information is published in order that vessels in the Bombay Harbour may, by comparison with a standard instrument, ascertain the errors of their barometers:—

The reading of the Standard Barometer at the Colaba Observatory corrected for index error and reduced to 80 deg. F., and to the level of the tide at 8-45 a.m., Standard Time on the 2nd September 1913 was 29·884 inches. For temperature corrections applicable to mercurial barometers of ship the reading of the ship's barometer is to be increased or decreased by ·013 inch for every 5 degrees, according as the temperature of the attached thermometer is respectively below or above 80 deg. F. In case of the aneroid no temperature correction is needed. But for comparison at 80° F. all aneroid readings should be increased by 138 inch. For correcting the ship's barometer either mercurial or aneroid, for the height of the barometer cistern above the tide level in the stream at 8-45 a.m. Standard Time, the ship's barometer reading should be increased by ·010 inch for every 10 feet of this height, to make it comparable with the observatory barometer reading given above.

BOMBAY VOLUNTEER RIFLES.

REGIMENTAL ORDERS BY THE HON. COLONEL R. W. L. DUNLOP, C.I.E., V. D., COMMANDING.

Sept. 3.

801. *Signalling Class.*—The Signalling Class will parade on all Mondays, Wednesdays and Fridays at 7 A.M. on the Maidan in front of Head-Quarters. Dress—Mufti.

802. *Miniature Range.*—The Miniature Range at Old Head-Quarters, Carnac Road, will be open for practice on Tuesdays and Fridays at 7 A.M.

803. *Machine Gun.*—The 2nd Machine Gun Section of "F" Company will parade every Wednesday at 7 a.m. at Head-Quarters.

804. *Recruits Parade.*—"G" Company Recruits will parade on Wednesday, the 3rd instant, at 7-30 A.M. at the Bombay Gymkhana. Dress.—Mufti.

Arms and Accoutrements will be issued on the parade ground.

II. All Recruits of the current season will parade at the Old Head-Quarters, Carnac Road, every Friday at 6-30. P.M.

(Signed) F. H. JAMES, Captain, Offg-Adjutant Bombay Vol. Rifles.

BOMBAY VOLUNTEER ARTILLERY

REGIMENTAL ORDERS BY LIEUT.-COLONEL THE HON'BLE A. HILL TREVOR COMMANDING.

Sept. 3.

204 *Viceroy's Competitions.*—Members wishing to enter for Viceroy's Competition 1913-14 should submit their names, with entrance fee Rs. 4-0-0, to the Adjutant B.V.A. not later than 20th September 1913.

205 *Office Closing.*—The Adjutant Office will be closed on Wednesday the 3rd inst. on account of Public Holiday "Ramzan Id".

(Sd). A. D. CURTIS, Lieut R. G. A. Offg.-Adjutant Bombay Vol. Artillery

SUN MOON & TIDES AT BOMBAY.

The following are the hours and heights of the tides in Bombay Harbour during the ensuing week. Hours stated in Bombay Meantime. Depth of water is at Prince's Dock Sill.

1913	High water			
Day of week.	Day of month.	Bombay Mean Time.		Depth on sill.
	Sept.	h.	m.	f. in.
Wed.	3	0	53 a	29 7
		m 1	25	29 3
Thurs.	4	m 1	31 a	28 10
		m 2	12	28 7
Fri.	5	m 2	10 a	27 9
		m 3	2	27 8
Satur.	6	2	51 a	25 6
		m 4	0	26 7
Sun.	7	3	40 a	25 2
		m 5	15	25 8
Mon.	8	4	45 a	23 11

1913	Low water			
Day of week.	Day of month.	Bombay Mean Time.		Depth on sill.
	Sept.	h.	m.	ft. in.
Wed.	3	m 6	58 a	14 7
		7	10	16 4
Thurs.	4	m 7	39 a	14 8
		7	55 a	17 7
Fri.	5	m 8	21	15 3
		m 8	44	19 1
Satur.	6	m 9	6 a	16 2
		m 9	46	20 6
Sun.	7	m 10	2 a	17 4
		m 11	33	21 5
Mon.	8	11	21 a	18 3

The following are the hours of sunrise and sunset according to Indian Standard Time during the ensuing week:—

Sept.	Sunrise.	Sunset.
3. (Wed.)	6h. 24m.	6h. 52 m
4. (Thurs.)	6h. 24m.	6h. 51 m
5. (Fri.)	6h. 24m.	6h. 51 m
6. (Satur.)	6h. 25m.	6h. 50 m
7. (Sun.)	6h. 25m.	6h. 49 m
8. (Mon.)	6h. 25m.	6h. 48 m

PHASES OF THE MOON:—Last quarter, August 25th, 5h. 47·8 m. A. M; New Moon, September 1st, 2h 8·1 m. A. M. First quarter, 7th, 6h. 35·7 m. P. M. Full moon, 15th, 7h. 15,9 m. P. M.

DEATH OF A SANSKRIT SCHOLAR.

We regret to hear that our revered townsman, Goswami Pitamlalji, who had been ailing for some time, died on the morning of the 28th ultimo at Allahabad, says the "Leader." He lived to the advanced age of 83 years, but until a few months ago he was in full possession of his physical and mental powers. Being a man of modest and retiring habits he was not much known outside a limited circle of sanskrit scholars and musicians, but he was in many respects a remarkable man. Besides being well versed in the literature of his own creed, Vaishnavism, he was a man of varied culture. He was not only a respectable Sanskrit scholar but was in these days the greatest authority in Upper India on Hindu music, both theoretical and practical. He practically gave up singing and playing after the death of his second son who was a very promising Pandit and musician, but his love of Sanskrit works on music remained unabated and when the great encyclopædic work on Hindu music, viz., the Sangit Ratnakar, was published by the Anandashram of Poona and a copy was presented to him by a friend, his delight knew no bounds and he set to work wholeheartedly to master its contents. His residence at Muthiganj was like a place of pilgrimage to all musicians coming to Allahabad, both Hindus and Mahomedans. He was visited by Professor Deussen and Mrs. Deussen during their brief stay here. He was possessed of a very aesthetic mind and was an expert in decorative arts. His conceptions of beautiful forms were displayed in the new designs which he produced in decorating the temple in his charge during the annual festivals. He was accessible to all students of Sanskrit and music, and much of his time was spent in giving free lessons on these subjects. He was a fine specimen of the old Hindu culture, and his place in the Hindu society of Allahabad cannot be easily filled.

When you go visiting—don't have a headache, and be out of sorts. Carry Stearns' Headache Cure, make your stay pleasant. Headache relieved immediately.

COMMERCE

THE MONEY MARKET.

LONDON QUOTATIONS.

(REUTER'S TELEGRAM.)

LONDON, Sept. 1.

Consols 2½ %	73-13-16xd.
Exchange on London at Paris Fcs.	25 23½
Rentes 3 %	89½
Berlin Cheques on London	20·43
Bar Silver Spot	27½
" 2 months hence	27½
Closing Tone of Silver:—	Quiet
Rupee Paper 3½ %	63½
Exchange on India 30 d/st. (Bank buying, Rate)	1-3 29-32
Discount, Bank of England Rate 4½ April 1913.	
Amount, Paid into the Bank of England about £ 350,000	
3½ % India Stock (Sterling Loan)	90½
Discount Bank Bills 3 m/st	31-1-16
Discount Indian Bank Bills 6 m/st	4-1-16
Fine Trade Bills 3 months	4½
" " 6 "	4½
Bar Gold (per oz.)	7 7-8
Interest day to day loans	2½
" 7 day market loans	2½
% Since 17th April 1913.	

BOMBAY MONEY MARKET.

(From Our Correspondent.)

PAPER MARKET.

To-day the Paper Market remained in a sea-saw state and displayed slight fluctuations. The opening rate was Rs. 95-13 improved to Rs. 95-13-6 but finally closed at Rs. 95-12-6 for 29th September delivery.

Ready paper was placed at Rs. 26-2 (clean pieces).

SHARES.

The Share Market presented a brisk appearance though "budley" business was principal item of the day. A rise was noticed in a few shares while Fazuls received a smart setback under selling pressure.

David improved to Rs. 590 but closed at Rs. 586-4 for September.

Fazuls were placed at prices varying from Rs. 628-12 to Rs. 610, and finally closed at Rs. 611-4 for September. The rate for the October delivery stood about Rs. 7½ up.

Crescent improved to Rs. 135 for October.

Standards advanced to Rs. 1,392-8, Central to Rs. 2,090 and Swadeshi to Rs. 1,590.

Finlays remained weak at Rs. 340 while Swan improved to Rs. 297-8 for October.

Madhavji stood steady at Rs. 1,450.

Bank of India Shares changed hands at Rs. 68.

Tata Hydro Ordinary Shares declined to Rs. 1,062-8.

Bank of Bombay Shares were placed at Rs. 1,667-8.

Bombay Burma Trading Shares changed hands at Rs. 672-8.

There was no doing in Press Shares.

Tata Iron & Steel Ordinary and Deferred Shares after touching Rs. 178 and Rs. 85-4 closed at Rs. 170 and Rs. 85 respectively.

CALCUTTA SHARE MARKET.

(From our Correspondent.)

CALCUTTA, Sept. 2.

Ready rates for bills only carry two mails and this restriction has made exchange quotations slightly firmer. There was but little business done today. Both the Money Market and the Share Market were extremely dull.

Some local banks quote telegraphic transfers at 1s. 4 1/32d., on demand at 1s. 4 9/32d., and six months at 1s. 4 15/32d.

Government paper ruled this afternoon at Rs. 95-13, to Rs. 95-14, for cash and Rs. 95-12 to Rs. 95-13 for the forward position.

In the share market jute ordinary, preference and debentures were wanted some translations being reported. In coal investments there was a recovery in one or two instances, Raneegung being conspicuous by an eight annas advance.

FOREIGN MARKET REPORT.

LONDON, Sept. 1

Metals.—Standard Copper G. M. B. 27½; Copper Braziers £85½; Yellow Metal 7½.

Freight.—Coals:—Cardiff to Bombay. Canal 13-6.

Arrivals.—City of Birmingham Ville de Oran.

Seeds.—Rapeseed, Yellow Cawnpore 416lbs. 85 % ex-Ship. 53½; August-Sep.; Antwerp; sellers. Rapeseed, Yellow Guzerat, 416lbs. ex-Ship. 54½ August-Sep.; Antwerp; sellers. Rapeseed, Brown, 416lbs. ex-Ship. 48½; Aug-Sep.; Antwerp; sellers, quiet but steady. Linseed Bombay per 416lbs. ex-Ship. 49½; Sep.-Oct.; Antwerp; sellers, easier. Linseed Calcutta 47-9; Sep.-Oct.; London, sellers, easier.

Wheat.—Australian Wheat unchanged:—Wheat White Delhi, per 492lbs. C. I. F. nominal. Wheat Choice White Karachi, per 492lbs. C. I. F. 37; Sep.-Oct.; London, sellers. Wheat F. A. Q. Red Karachi, per 492lbs. C. I. F. nominal, dull. Wheat Afloat for United Kingdom, 1,970,000.

Rubber.—Para Rubber 3-7; September; done, steady.

Sugar.—German granulated Sugar C. & F. India (Double bags) 12-7½; sellers. Oct.-Dec.; quiet slightly easier. Hungarian Crystals Sugar C. & F. India 11-9; sellers Jan.-March quiet. German Beet-root 88 % 9-5½; sellers. September; quiet generally. 9-2½; done; Oct.-Dec. E. A. R. & Similar Crystals C. & F. India 13-6; sellers Nov.-Dec.; quiet but steady. Mauritius Crystals C. & F. Calcutta 11-4½; August-Sep.; value. C. & F. Bombay 11-3; August-Sep.; value. Java Sugar quiet but steady no change.

Linseed.—Linseed Argentine (La. Plata). 46½; Sep.-Oct.; Antwerp; sellers.

Cottonseed.—Bombay Cottonseed 7-1-3 Sep.-Oct. Hull, sellers, quiet.

A serious accident is reported to have occurred near Brace Bridge Hall station on E. B. S. Railway on Thursday afternoon to a Port Commissioners ballast train composed of fourteen wagons, an engine and a brake van. When it was nearing the station the accident happened, fourteen wagons being derailed and some of them smashed. A man who was in the train at the time is reported missing.

Are you losing weight? Muscles weak and flabby? Stearns' Wine of Cod Liver Extract builds up broken down tissues and produces sound healthy flesh—increases your weight.

LIVERPOOL COTTON.

(REUTER'S TELEGRAM.)

LIVERPOOL, Sept 1st.

	Bales
Total Day's Sales at Liverpool	10,000
Total Day's Sales on Spec. and for Exp.	300
Total Day's Sales of East Indian	—
Total Day's Imports	6,000

Tone of Liverpool Cotton Spot:—Firm, moderate biz.

Tone of Liverpool Cotton Futures:—Firm

Tone of Manchester Market:—Firm but not active

Mid. Americans	7·03 d.
Egyptian F. G. F.	9·70 d.

CLOSING PRICES.

Months.	Previous closing price.	To-day's price.
S. O.	6·51	6·62
O. N.	6·47	6·59
N. D.	6·43	6·54
D. J.	6·42	6·54
J. F.	6·43	6·54
F. M.	6·45	6·55
M. A.	6·46	6·56
A. M	6·46	6·56
M. J.	—	6·57
J. J.	—	6·55

OPENING TONE AND PRICES

Opening Tone	quiet
Estimated Sales	8,000
Total Imports	2,000

Future delivery prices:—

Months.	Previous closing price.	To-Day's price.
S. O.	6·62	6·65
O. N.	6·59	6·61
N. D.	6·54	6· 57
D. J.	6·54	6. 57
J. F.	6·5[illegible]	6. 57
F. M.	6.5[illegible]	6. 58
M. A.	6·56	6. 59
A. M	6·56	5. 59
M. J.	6·57	6. 59

BOMBAY COTTON MARKET.

(From our Correspondent.)

Sept. 2.

To-day Washington noon time the Agricultural Bureau condition of the cotton crop up to 25th August will be flashed by wire across the seven seas.

Weather since the date of the compilation continues unfavourable, so cotton is bound to soar higher on legitimate causes. Spinners throughout the world will be in an uncomfortable position.

The local market is very strong with few sellers. Fully Good Bengal and Good Broach are quoted at the close Rs. 245 and Rs. 299 respectively.

TOTAL RECEIPTS INTO BOMBAY.

Statement showing total receipts into Bombay from 1st September, 1912, to 31st August, 1913, with a comparative table with the season 1911-12.

Growth	1912-13	1911-12
Khandesh	278,290	273,348
Central India	96,522	162,166
Barsee & Nagger	111,271	113,389
Berar	449,576	539,081
Central Provinces	289,338	358,739
Dholleras	285,810	30,431
Broach	292,760	142,830
Comta Dharwar Westerns	207,326 / 113,441	342,688
N. W. Provinces	345,766	127,099
Rajputana	146,190	105,154
Sind	118,851	95,296
Persian	3.090	4,997
American	35,622	2 21,635
Egyptian	2,621	2,097
Other Ports	4,914	9,217
Total	2,764 397	2,528,767

The following are to-day's quotations:—

Growths.	Inc.	Fully Good.	Good.	Delivery.
H.G. Bengals (Railway terms)	..	245	..	25-1-14
H. G. Bengals Liverpool Guarantee	..	..	..	..
M.G. Bengals Liverpool Guarantee	..	..	..	..
H. G. Rajputana (Railway terms)	..	..	..	..
M. G. Do.	..	..	..	..
M. G. Bengals (Railway terms)	259	..	..	25-1-14
Do.	261	..	..	25-12-13
Do.	..	..	..	..
Do.	264	..	..	25-11-13
M. G. Sind Punjab (Railway terms)	257-8	..	..	25-1-14
M. G. Khandesh	273-4	262	..	do
M. G. Khandwa, Sanawad	..	..	..	..
M. G. Hinganghat	..	..	..	..
M. G. Wardha, Hinganghat	..	..	..	..
M. G. Nagpore, Kamptee	..	..	..	..
M. G. Yeotmal	..	..	..	..
M. G. Dhamangaum, Pulgaum	..	..	..	..
M. G. Akola Khamgaum, Fair Staple	289	..	..	do
Do. do.	..	..	..	..
Do. do.	262	..	..	25-9-13
M. G. Oomra, Good Staple Liverpool Guarantee	..	..	..	..
M. G. Oomra, Fair Staple Liverpool Guarantee	..	..	..	..
M. G. Barsee, Purbani, Good Staple	..	..	..	..
M. G. Nander	..	..	..	..
M. G. Broach	..	..	299	25-3-14
Do.	..	..	..	..
Do. Liverpool Guarantee	..	..	..	..
M. G. Surat	..	..	..	..
M. G. Mathia	..	..	..	..
Saw Ginned Dharwar	..	..	271	Ready
Westerns, Churke	..	..	280	do.
M. G. Westerns	..	..	284	do.
M. G. Miraj	..	..	303	do.
M. G. Compta	..	..	22[illegible]	do.
H. G. Bhagalkote	..	..	..	..
M. G. do.	..	..	..	..
M. G. Bijapore	..	..	..	..

Are your in office all day—Smoking, too? You probably have frequent headaches but they needn't last long—Stearn's Headache Cure gives quick purgatives.

BOMBAY SHARE QUOTATIONS.

Banks.

Name and Amount paid up.	When Div. Paid.	Last Div.	Approximate Quotation.
INDIAN BANKS.			R
Bank of Bombay	Jan, July	13%'	1,667-8
Bank of India Rs. 50	do.	6 %	68
Bank of Bengal	do.	14%	1.735
Bank of Madras	do.	12%	1,450
Bank of Rangoon	..	6%	100
Bank of Baroda Rs. 50.	do.	8%	72
Bombay Merchants Bank Ld. Rs. 10	do.	7½%	14½
The Central Bank of India Rs. 25	..	6	30-8
The Central Co-operative Bank, Rs. 15,	..	6½	2
Credit Bank Rs. 10	do.	6½%	13
Specie Bank Rs. 50.	Jan-July	9%	62-8
Standard Bank Rs. 50	..	..	50
Alliance Bank of Simla, Ld.	Jan.-Aug	14%	282
Allahabad Bank	..	18%	361
People's Bank of India Rs. 30	..	9%	28
The Poona Bank: (Old Issue) Rs. 30	June	10%	40
(New Issue) Rs. 15	do.	..	18
Punjab National Bk.	..	10%	175
EXCHANGE BANKS			
Chartered Bank	Oct. Apl.	16%	£60
Mercantile Bank £ 12 A	..	7%	£21
12 B	do.	7%	£21
Hongkong and Shanghai Banking Corp'.	Feb.Aug	£4	£87
Eastern Bank, Ld, £4	New	5%	86
National Bank of India £12	Sep.Mar	14%	1079

Spinning and Weaving Companies.

Ahmedabad advance	May-Oct	25		920
Alliance	Apl.-Oct.	Nil		70
Berar Manufacturing	..	..		107
Bo Cotton Manufg.	..	..		237-8
Bo Dying and M. Co	..	30		720
Bombay United	May-Nov	25		527½
Century	Apl.-Oct.	12		205
Central India	May-Nov	55		2,090
China	Mar.-Sep.	50		985
Chinoi Silk	..	20		805
Colaba Land and Mill	Mar.-Sep.	50		1,485
Coronation Mills	Mar-Sep.	Nil.		440
Connaught	do.	Nil.		190
Coorla	April	40		650
Cresuent	Mar-Sep.	5		135
Currimbhoy	do.	12-8		260
David	May-Nov	20		586-4
Edward Sassoon	..	8		185
Emperor Edward	..	25		485
Empress	Mar.-Sep.	..		140
Fazulbhoy	May	20		611-4
Framjee Petit	Apl.-Oct.	20		1,575
Finlay Mills	..	15		340
Gold Mohur	..	25		450
Hindustan	Mar.-Sep.	45		700
Howard and Bullough	do.	15		475
Hyderabad	do.	30		1,325
Imperial Cotton	do.	Nil.		115
Indian Dyeing and Bleaching	..	4		110
Indian Manufacturing	do.	40		500
Indo-China Manufg.	Apl.-Oct	60		998
Indore Malwa	Dec.	5		157-8
James Greaves	Mar.-Sep.	Nil		155
Jamsied Manufg.	Apl.-Oct.	6½		130
Jewraj Baloo	May	10		140
Jubilee Mills	Apl.-Oct.	Nil.		290
Khandesh Rs. 610	June-Dec	25		900
Khatao	May-Nov	45		1,300
Kohinoor	Mar-Aug.	25		790
Lakshmi Cotton	April	60		1,305
Madhowji Dharamsi	June-Dec	75		1450
Madras United	June-Dec	60		2000
Maneckjee Petit	Mar.-Sep.	50		3.055
Meyer Sassoon	..	Nill.		100
Morarjee Gooculdas	Apl.-Oct.	115		3.200
Nawab of Cambay	..	30		165
New Great Eastern	Apl.-Oct.	9		235
New City of Bombay	Mar.-Sep.	35		1.456
Phœnix	April	7½		165
Presidency	Apl.-Oct.	Nil.		390
Ripon	do.	Nil.		100
Sassoon Cotton	April	Yr.50		825
Sassoon Silk	do.	Yr. 35		4.200
Sholapore	June-Dec	250		4.900
S. Mahratta	Nov.	..		70
Standard Mills	May-Nov	45		1392-8
Sun	Oct.	..		120
Surat Rice Mill	May	15		220
Swan	New O	12½		297-8
Swadeshi	May-Oct.	50		1.590
Textile	Apl.-Oct.	60		1.335XD
Union Mill	..	Nil.		135
Vishnu Cotton	..	Nil.		465
Western India	..	Nil.		660
Mysore Spinning	Sep.	45		630
	July	15		250

Press Companies.

| | |

SITAPUR CASE.

APPEALS AGAINST ACQUITTAL.

SIR J. HEWETT'S DEFENCE.

The following letters have appeared in the "Times":—

Sir,—It was no part of my task, in preparing the explanation of my conduct in the so-called "Sitapur case" to attempt a justification either of the law or of the rules that governed my conduct. Nor do I wish to justify the rules, which to me, as to others, seem to be capable of considerable improvement. But I should be grateful if you would give me space in your valuable columns to say a few words about the provisions of the Code of Criminal Procedure in force in India which permit the Government to sanction the institution of an appeal in the High Court against an order of acquittal passed by a Sessions Judge or a Magistrate.

Speaking of the Sitapur case in the House of Commons on June 25, Mr. Morrell said:—

"But in this case there were no new facts, no fresh evidence, no other witnesses; indeed, there were no new witnesses at all called, and to put them on trial again for their lives, after they had been duly tried and acquitted, is nothing short of a judicial scandal.

To people accustomed to the judicial system of England, under which offenders charged with serious crimes are tried only by the High Court, the presiding Judge being assisted by a jury, the fact that a man can be acquitted of a crime, and thereafter be rearrested and convicted of the same crime on the evidence, seems strange and, not unreasonably, unfair. But, if consideration is given to the difference between the judicial arrangements that exist in England and India respectively, it will perhaps be recognized that the law in India, which has been in force for many years, is not unfair to the criminal. It is impossible to arrange that charges of serious crime shall all be tried by Judges of the High Court in India. The original jurisdiction of the High Courts there is confined to charges against European-British subjects and to trials connected with offences committed within the original jurisdiction exercised by the High Courts of Calcutta, Madras, and Bombay over small areas within the Presidency towns. The trial of serious criminal cases is usually undertaken by Sessions Judges, who are either Europeans or Indians appointed from the Indian Civil Service, recruited in England, or Indians appointed from the Provincial Service, recruited in India. How impossible it would be to provide for the trial of all such cases by a High Court Judge can be inferred from the fact that in the United Provinces alone, the population of which exceeds 47 millions, there are 30 or more Sessions Divisions. As the Court that disposes of nearly all important criminal trials is inferior in status to a High Court, every prisoner who is convicted by it has a right of appeal to the High Court, on both fact and law, if he was tried by a Sessions Judge with assessors, and on law only if tried by a Sessions Judge and a jury. On the same principle, and subject to the same limitations, the Government has the power of sanctioning the institution of an appeal to the High Court against an order of acquittal, lest unjustifiable acquittals by the lower Courts might operate to the injury of the public generally.

In the "Pioneer Mail" of July 4 is a short report of an appeal against an order of acquittal heard by Sir Henry Richards, Chief Justice, and Mr. Justice Tudball in the High Court at Allahabad on June 30 last. The actual words of the judgment are not given in the "Pioneer Mail," but the report concludes as follows:—"The Chief Justice at the end of his judgment observed that this case illustrated how necessary the provision in the Criminal Procedure Code about appeals from acquittals was in the interests of justice." This is the view of one of the highest and most esteemed judicial authorities in India, one of whom Mr. Swift MacNeill spoke with approval in the House of Commons during the discussion of the Sitapur case on June 25.

May I be allowed to testify to the advantage of the law as it stands at present from the point of view of an administrator anxious to do the best that he can for the people under his charge? It was stated in my explanation on the Sitapur case that only 78 appeals were filed against orders of acquittal during my term of office as Lieutenant-Governor. Of them 57 were successful, and a not inappreciable proportion of the successful appeals related to cases in which police officers or other Government servants had been acquitted by the Sessions Court of offences against the law. I can recall the case of an influential inspector of police who, after having been acquitted by the Sessions Court of a most heinous offence, was sentenced on appeal to the High Court to ten years' imprisonment, a number of his myrmidons receiving at the same time shorter sentences of varying lengths.

But it is not necessary to rely entirely on one's memory. I enclose for your perusal and favour of return a copy of judgment of the Judicial Commissioners of Oudh in the case of K. E. appellant *versus* Abdul Majid Khan and three others respondents, dated March 25, 1912. Owing to facts which came to his notice in trying a trival case of housebreaking Babu Ishri Prasad, a deputy maigstrate, set on foot an inquiry into a charge against Abdul Majid, a sub-inspector in charge of a police station, two constables, and a town policeman of having tortured three persons "by beating them, keeping them for a long period in a stooping posture, and by applying red ants to their bodies to bite them" with the object of inducing them to surrender certain stolen property. The district superintendent of police, Mr. O'Connor, acted energetically on the reference made by the deputy magistrate, and worked the case out clearly against the accused. They were, however, acquitted by the Sessions Court. On appeal a Bench of the Judicial Commissioners' Court, consisting of Mr. Lindsay and Mr. Mahomed Rafiq, the latter now a Judge of the Allahabad High Court, convicted all four accused, sentencing the sub-inspector to nine months' rigorous imprisonment and the constables to six months' rigorous imprisonment. Had the local Government not been empowered to sanction the institution of an appeal an atrocious case of police torture would have gone unpunished. Mr. Morrell, to be consistent, must regard the result in this case also as "nothing short of a judicial scandal." He is welcome to this opinion: for my part, I am glad to have played even a humble part in securing a conviction in such a case.

I am, Sir, your most obedient servant,
J. P. HEWETT.

3, Lennox-gardens, S.W., Aug. 8.

SIR C. CROSTHWAITE'S LETTER.

Sir,—My object in saying anything about this case is to draw attention to Lord Crewe's criticism of Sir John Hewett's action in dealing with the petition for mercy. Sir John dealt with the case under the rules laid down for his guidance and on his own responsibility refused to forward the petition to the Government of India.

It would have been quite easy (he writes) to shift all responsibility in the case to the Government of India. But (he goes on) that is not my conception of the duty of a Lieutenant-Governor in dealing with a case in such circumstances. The Government can at any time restrict his duties and responsibilities, but within the duties assigned to him and the responsibilities imposed on him, it is incumbent on him to exercise without fear or favour the powers entrusted to him.

Undoubtedly the principle thus stated has governed not only Lieutenant-Governors, but all persons set in authority in India. Mr. Montagu (or is it Lord Crewe?) thinks otherwise. "There was an opening for Sir John Hewett to throw the onus of confirming or modifying the sentences on to the Government of India." Lord Crewe and Mr. Montagu naturally think this would have been the wiser course. It seems incredible to officials of this type that any man should take a responsibility which he can easily shirk.

There is a danger that this fascinating doctrine, fascinating to the weak-kneed, may in future become the rule. First think if you cannot shunt the responsibility on to some one else. If there is no opening for this then you must act, or refrain from acting. Sir John Hewett has stated the principle on which we have hitherto acted in India. How far is the new or Creweian principle to be carried?

The disturbance in Parliament over the Cawnpore riots and the action of the police and magistrate has not yet begun. It will not be delayed long. On the Creweian principle the magistrate on the spot should have hid himself and his police until he got telegraphic orders from the Lieutenant-Governor, who again should have asked the Goevrnment of India what was to be done. The Governor-General, in turn, should have sought orders from Lord Crewe—Lord Crewe's reply would have been, "Report all particulars and await orders." Meanwhile Cawnpore would have had time to enjoy a good wholesome riot and probably a massacre. Is this the way to govern India?

C. H. T. CROSTHWAITE.

MR. MORRELL'S LETTER.

APPEALS AGAINST ACQUITTAL.

Sir,—After two debates in the House of Commons and the publication of official papers on this case, it would have been better, I think, even from Sir John Hewett's point of view, to let the matter rest. Certainly I should have preferred to do so. But as he has thought otherwise, and in his letter to you of Saturday last has picked out for censure a sentence that occurs in a speech of mine of June 25, I trust you will allow me some reply.

The object of Sir John Hewett's letter is to show that under the present conditions of Indian administration it may sometimes be necessary, in the interests of justice, to allow an appeal against an acquittal, even where no new facts have come to light; and he quotes cases in which police officers or other Government servants have been acquitted in support of the view he expresses. Now, as a general proposition this may be perfectly true; and I am not aware that as a general proposition I have ever denied it. But the question surely is whether in the particular circumstances of the Sitapur case the appeal was in fact justified; whether it was right that men who had been put on trial for their lives and acquitted should afterwards be condemned and sent to their death by a Court which had neither the accused nor their accusers before it, and did not, in any true sense, try the case at all. That was the question I was discussing on June 25. It was against such an appeal as that that I was protesting; and I still cannot see how any fair-minded man who takes the trouble to inquire into the facts can dissent from my conclusions.

Let me again remind your readers of what occurred. The case had been brought in the first instance before an English Sessions Judge, sitting with three Assessors. It had been dismissed by this Court on the express ground that the evidence for the prosecution was not trustworthy. "None of the witnesses," said Mr. Bell in giving judgment, "are really impartial. . . . I find it impossible to convict on the evidence offered, for I do not believe it." That was the opinion of the man who heard the witnesses give their evidence, who saw them under cross-examination, and was able to judge of their demeanour.

What of the procedure of the Court of Appeal by which his judgment was reversed? The appeal came before two additional Judicial Commissioners, both of them, we are told by Sir John Hewett, men "of great knowledge, capacity, and uprightness," but neither of them, as I am informed, of any wide experience as a Judge in criminal cases. They had before them the written record of the Court below. But that was all they had. No witnesses were called; no oral evidence heard. Even the accused men were not present. The Court, in fact, as Mr. Montagu has explained, had "no power to hear evidence or to try the case themselves." What they might have done, and what they clearly ought to have done, if they disagreed with the Court below, was to order a re-trial, when witnesses could again have been heard and fresh evidence offered. What they did was to consider the record of the trial and the arguments of counsel upon it. They then reversed the acquittal and condemned the men to death.

The prisoners, in a word, were acquitted by the Court which tried their case; they were hanged by the Court which did not. In speaking of these proceedings on June 25 I described them as "a judicial scandal," and though the phrase was unpremeditated I do not think it was too strong.

Surely, if ever there was a case in which men condemned to death were entitled to have their petition for mercy fully considered this was such a case. And yet in this case Sir John Hewett, after refusing to postpone the date of execution, at the request of the condemned men, refused also to forward their petition to the Viceroy on the ground that by the rules governing such matters, the petition had arrived too late.

That a case like this should arouse strong feeling on both sides was of course inevitable. Sir John Hewett has had a most distinguished career. He has, both here and in India, many powerful friends. It is natural they should resent any criticism that reflects not only on the system he administered but also—though in a less degree—on himself. But if the controversy leads, as I hope it may, to two alterations in the law of India, by providing—

(1) That no man shall be condemned to death except upon the sentence of a Court that has actually tried the case; and

(2) that every petition for mercy in the case of a death sentence following an acquittal shall invariably be forwarded to the Viceroy for consideration;

I do not think that any of those whom Sir John Hewett describes as his critics in this case will regret the part they took.

I am, Sir yours faithfully,
PHILIP MORRELL.

44, Bedford-square, Aug. 11.

FIRST AID AND NURSING BROTHERHOOD.

To the Editor of "The Chronicle."

Sir,—It would seem from the report of the First Aid and Nursing Brotherhood in your to-day's issue that an appeal is being made to the public for financial help. It further appears that the objects of the Brotherhood are identical with those of the widely known and well established St. John Ambulance Association which has done its best to promote its objects in Bombay, and its work has been universally recognised. Only last week we were informed that H. H. the Thakore Saheb of Gondal and the Maharaja of Miraj gave donations of Rs. 5,000 and Rs. 1,000 respectively, that some further large amounts have been contributed by the Ruling Princes of the Presidency, and others, and that the work has been vigorously carried on in Bombay in quite a satisfactory way. Its existing brigades have also been doing their best to promote its objects. Then where is the justification or necessity for the creation of the New Brotherhood. Institutions of the kind having the same objects working independently of their elders are nothing but an unnecessary burden on.

PUBLIC CHARITY.

GUJRATI HINDU STRI MANDAL.

The 10th Annual General Meeting of the Gujrati Hindu Stri Mandal and Mr. Dadabhoy Naoroji's 89th Birthday Anniversary will be celebrated on Thursday, 4th instant at 4 p.m. (S.T.), at the Servants of India Society's Home (Sandhurst Road) under the presidency of Mrs. Budrudin Lukmani.

MAZAGAON INSTITUTE.

A "Literary Session" of the Mazagaon Institute will be held in the Antonio D'Souza's School Hall, Byculla, in celebration of the 18th anniversity of the said Institute on Saturday the 6th instant, at 6 30 p.m. The Right Rev. Mgr. L. C. Pera will preside on the occasion.

[redacted]VERSITY.

PROPOSE[illegible]R OF A NEW PRIZE

The following are particulars of the proposal submitted by Rao Saheb Khimji Cooverji, J.P., to the University of Bombay offering to endow a prize in the memory of the late Goswami Shree Devkinandan Acharya—the well-known preceptor of the Vaishnavite community.

This prize should be named "The Goswami Shree Devkinandan Acharya Memorial" prize.

(2) The amount of the prize shall be Rs. 100.

(3) The prize shall be given away every year to the best writer of a Thesis on any subject within the province of Metaphysical reasonings embodied in "Anubhashya" compiled by Shriman Vallabhacharaya.

(4) The subject of the Thesis shall be selected by a committee appointed by the Syndicate and shall be advertised at least 6 months before the latest time allowed for the sending in of the papers.

(5) The competition shall be open irrespective of caste and creed and in order that Sanskrit Pandits not familiar with the English Language be able to compete for the prize, option of writing the Thesis in English or Sanskrit shall be given to the competitors.

(6) All papers received from competitors shall be examined by an examiner nominated by the Syndicate and the candidate recommended by such examiner as deserving of the prize shall be awarded the above prize.

(7) The prize may be given in the form of books or purse, at the option of the recipient.

(8) That should there be no competitors in a certain year for the above prize or should the papers received be, in the estimation of the examiner, not deserving of any merit the amount of the prize payable for that year shall be held over and paid to the successful competitor in the succeeding year or years together with the amount set aside for the year in which the prize is given.

(9) That Government Promissory Notes of the nominal value of Rs. 4,300 bearing interest at 3½ per cent. shall be endorsed by Mr. Khimji Cooverji in favour of the Registrar or Chancellor of the University of Bombay for the aforesaid prize, who will collect the interest accruing on the said Notes every year and out of the sum of Rs. 150 collected therefrom Rs. 100 shall be utilised towards the awarding of the above prize and Rs. 50 or any portion thereof may be utilised to defray advertisement expenses and examiner's fees and other incidental expenses as the Syndicate may deem fit.

INDIAN LITERATURE.

To the Editor of "The Chronicle."

Sir,—The interest aroused in the minds of the educated classes in Indian poetry and literature by the recent publications in English of the poems of Mr. Tagore and the Princess Zeb-un-Nisa should not be allowed to die out. We, on this side of India, are frightfully ignorant of Indian literature and art. Bombay, in its frenzy for commercial prosperity, has remained strangely apathetic to the changes which are taking place in Indian life and thought. Speaking for my own community, the Parsi, many, who can talk with intelligence and accuracy on the various periods or schools of English literature to which their study or inclinations have attached them who are thoroughly conversant with the history of England, who even feel it their duty to keep in touch with the latest publications of Messrs. Wells, Bennett, Galsworthy, Belloc and Chesterton, (to mention a few names at random), to whom Maeterlinck, Tolstoi, Ibsen, Strindberg, Pierre Loti and Henry James (a strange medley, I confess) are more than mere names, will be at their wits' end if asked to mention a dozen names of Indian writers, who have moulded the life of their countrymen and set a permanent value on Indian literature. This is not due to a want of intellectual curiosity, but to the dearth of books in English, which would be accessible to all, and above all to the absence of authoritative guidance in these matters. Our university should have a professor of Indian literature, who would make it known in its broad outlines to all students and at the same time guide and facilitate a deeper study of it for more diligent ones. If some enterprising Bengali firm of publishers undertake to publish a small library of books in English on Indian literature and art, it will not only prove a financial success, but will give a great impetus to the study of both the subjects. I believe many of your readers will feel grateful, if some one with the necessary knowledge, will prepare a list of books (in English) on these subjects, which can be read with profit and interest. But the list must not be one calculated to make a prig, but such as will suit the requirements of an ordinary reader.

Yours etc.,
A STUDENT.

Bombay, Sept. 2.

Reports from Peshawar confirm the news that the Nawab of Dir has failed to recapture his capital. It appears that his force was defeated but not routed by his brother. The Nawab retired to Paindah Khel.

MUNICIPAL STANDING COMMITTEE.

NEW HOSPITAL FOR CATTLE.

A weekly meeting of the Municipal Standing Committee, Bombay, was held yesterday afternoon in the Municipal Council Hall, the Chairman, Mr. Fazulbhoy M. Chinoy, presiding.

The Committee recorded a letter from the Commissioner who reported that he had allowed the Secretary of the Depressed Classes Mission Society of India to build a hut on the Municipal land on Tardeo flats for the purpose of establishing a school for the children of the depressed classes. The hut, which is subject to removal whenever the land is required for Municipal purposes, occupies an area of 70 square yards for which a nominal rent of one rupee will be charged. The work of erecting the school is now in progress.

Consideration was then given to a letter from the Commissioner stating that the infectious diseases hospital for cattle standing on the reclaimed land at Pradhan Tank had to be vacated as the land was required by the City Improvement Trust in connection with their East Agripada scheme. It was therefore proposed to construct a new hospital for cattle at the Tardeo flats. The estimated cost would be Rs. 16,848 to which he requested the sanction of the Corporation and he added that the likely amount of compensation Rs. 1,08,352 would when received be credited to the Municipal fund.

The letter was forwarded to the Corporation with a recommendation that sanction might be granted.

LORD SLIGO'S LETTER.

COMEDY AT A COUNCIL MEETING.

"Lord Slingo has sent a letter to the Haslemere Urban Council which, although the contents have not been disclosed, is a matter of much discussion in the district, says the "Daily Chronicle."

The marquis recently sent in his resignation of the position of urban councillor, having found that the social duties attaching to the marquisate—to which he only recently succeeded—prevented him from devoting the time he usually gave to the public affairs of Haslemere. On receiving the resignation the council imposed on Lord Sligo a fine of £1, and in sending this he is understood to have expressed his disgust at their action in pointed fashion.

At a council meeting held during the mail week, at which the receipt of the £1 fine was announced, the clerk (Mr. A. G. Whitcher) asked if he should read Lord Sligo's letter.

"No, no," interposed the chairman (Mr. Allen Chandler) hastily. "Only give the gist of it."

The clerk then stated the letter sent the fine of £1, and asked the council to take with the resignation Lord Sligo's resignation also of the position of chief officer of the five brigade.

PASSING IT ROUND.

Mr. E. Eley (the vice-chairman) suggested that the communication should be passed round to members of the council, so that they could read it privately. "But don't let the Press see it, for goodness' sake," he added.

The letter was handed round, and on reading it members raised their eyebrows and made ejaculations.

"It's warm, isn't it?" said one member.

"Yes, very," remarked another.

It almost looked as though the secret would be disclosed when Councillor Bridger read the letter. "I take exception to this," he began, pointing to a portion of the letter. Then the chairman intervened. "Do be careful," he pleaded, and the vice-chairman added "Don't give the game away."

A member asked what they should do with the letter.

"I think we had better frame it and turn its face to the wall," said Councillor Eley.

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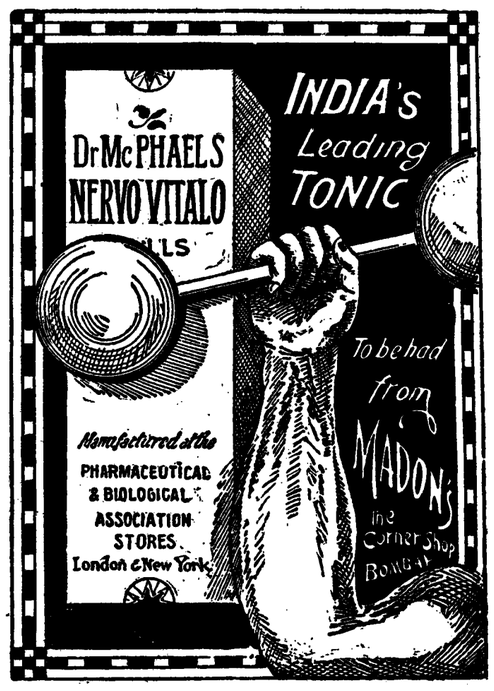

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PRESIDENCY CRICKET.

SPLENDID PARSI VICTORY.

MATCH WON BY AN INNINGS AND 29 RUNS.

PRESIDENCY COLLAPSE ON TREACHEROUS WICKET.

KANGA DEADLY EFFECTIVE.

HAUGHTON'S FINE STAND.

(From our Special Correspondent.)

POONA, Sept. 2.

The Parsis have defeated the Presidency Europeans by the decisive margin of an innings and 29 runs and have added one more to their long and brilliant record of glorious victories. The Maidan presented a much more animated appearance to-day than at any other time during this or last week's game. His Excellency Lord Willingdon arrived shortly after the start and watched the game with keen interest and at the close of the contest went to the Parsi tent to congratulate the team on their brilliant victory. His Excellency shook hands with Mr. J. M. Framji Patel, Mr. J. M. Devecha, Dr. H. D. Kanga and other prominent members of the Parsi Gymkhana and three enthusiastic cheers were given for His Excellency.

Overnight, the Parsis had made 249, to which the Presidency had replied with 7 for the loss of one wicket. The Europeans had thus lost one wicket for the paltry figure of seven, but it was one of the tail that had been sacrificed after a day's severe outing and the Presidency were expected to run up a fairly large total to-day.

PRESIDENCY'S UPHILL STRUGGLE.

But the deity which presides over the destinies of the game seemed to be dead against them and when Col. Poore, the genial and popular skipper of the Presidency, returned with a drawn face after inspecting the pitch just before the start of the game it was apparent that the Presidency were in for an extremely difficult and up-hill struggle. It had rained practically throughout the night and slight showers had also come down during the morning, rendering, the wicket a perfect bowlers' paradise. The pitch was in a worse condition even than during last week's game, and the expectations of low scoring came to be more than fully realised. Notwithstanding all this the most pessimistic of the onlookers never expected such a complete collapse of the Presidency batting in the first innings as was shortly after witnessed. The wicket, as stated above, was undoubtedly rotten, and Dr. Kanga, who came off with the splendid analysis of eight wickets for less than two runs apiece, bowled remarkably well, occasionally breaking in over a yard from the off. This, however, does not wholly excuse their miserable batting failure in the first innings. They failed even to save a "follow on" and, if my memory serves me right, this was the third worst innings ever played by them in the annals of these international struggles, the previous two ventures being about a decade and a half ago when the great Indian all-rounder, Major Mistry rattled them out for about 24 runs and Boman Billimoria dismissed them for 31 runs. That the Presidency were capable of doing something better and that the fault lay not wholly with the pitch was clearly demonstrated when on the "follow on" against the same bowling and on a wicket that had only slightly improved they had hit up the respectable total of 184 runs.

A ONE-SIDED AFFAIR.

Almost from the start the game become a one-sided affair. Nevertheless it was not wholly devoid of notable incidents. The spectators were treated to some bright cricket during the first wicket stand by Haughton and Greig during the second innings. Both of then played a confident game from the start of the second venture of the Presidency and though Haughton was missed twice he played excellent cricket and, assisted by Greig, he rapidly took the total to 84, when he returned to the pavilion. Colbeck and Stileman also played beautiful cricket, but perhaps the brightest batting display of the day was given by Dobbie who playing *a la Jessop*. He soon ingratiated himself with the spectators, who widly cheered his hard hitting. He lifted the Parsi trundlers thrice. He lifted boundary and he was still unconquered with 20 to his credit at the close of the game.

To go for a more detailed description of the Presidency's two ventures the early dismissal at the start today of Wilson and Twiss, the overnight not-outs, did not matter much, but the outlook assumed a gloomy aspect for the Europeans when Greig was sent back with the total only at 16 and the situation decidedly worsened for them when Captain Haughton, another fine bat, was disposed of without any addition to the total. The succession of disasters did not end here and one run later Salter, the great Indore batsman, formed one of the never-ending procession to and from the wickets. Immediately after this the last Presidency hopes of making a decent score vanished with their skipper's dismissal. The rot continued and Stileman was sent back with the total standing at the previous figures.

PRESIDENCY'S BRILLIANT START.

Colbeck then made a plucky attempt to stem the tide and hit away merrily, which was the right game to be played on a wicket that played extraordinary pranks. But the end was not long in coming and the Presidency's first innings could realise only 36. In their second venture they made a brilliant start, the first two batsmen not being separated till they had put up 84 on the board. This excellent lead was, however, not maintained and after the dismissal of Poore and Greig the Parsis gradually tightened their grip of the game, and although at a later stage Dobbie made a gallant effort to save an innings defeat the Zoroastrians eventually won the game at 4-15 p.m. by the handsome margin of an innings and 29 runs.

PARSIS' DEADLY BOWLING.

The skipper, Kanga, was the Parsi hero of the day. He bowled with deadly effect. His performance was really great, and his bowling figures (8 wickets for 14 runs), in the first innings, perhaps, break all previous bowling records. In the Presidency's second innings Parakh gathered in the biggest harvest of wickets. Warden, however, had a better analysis with three wickets for 25 runs, which shows that notwithstanding his sprained shoulder he is still in the front rank of Indian trundlers. Mirza, the Parsi colt, captured three wickets, but his bowling proved rather expensive, while Vajifdar, also a newcomer, failed to take any wickets at all.

POOR FIELDING.

All the Parsis gave a very sorry exhibition of fielding to-day, about half a dozen easy chances being missed. They did not let off quite the same number of chances that their opponents did yesterday. Still their show was much below their usual level of fielding and was one on which they could hardly compliment themselves.

PRESIDENCY—1ST INNINGS.

TOTAL COLLAPSE ON WET WICKET.

The smart showers of rain that came down last night and also during the morning have rendered the wicket a perfect bowler's paradise, and tall scoring is not expected even if the Presidency bat well. At 11-35 a.m. the overnight not outs, Twiss and Wilson, resumed to Mirza and Kanga. Twiss opened the day's account with a single off Mirza, Wilson replying with a like number off the same trundler. The overnight total had been added by only five when Wilson was finely held in the slips by Driver off Mirza. (12-2-6). Wilson's place was taken by Colonel Poore, the Presidency skipper. The total stood at the same figure when Twiss was caught at the wickets by Mulla off Kanga. (12-3-3). Major Greig was the next man in whom his skipper welcomed with a beautiful glance to the leg boundary for 4 off Mirza. Perhaps the worst disaster that could befall the Presidency then occurred, Kanga finding Greig's wickets with a well pitched delivery which broke in a lot from the off. (16-4-0). This was an extremely bad beginning for the Presidency, who soon after met with another misfortune, Kanga clean bowling Haughton, who had gone in the place of Greig. (16-5-0). A perfect rot now seems to have set in which does not look like stopping notwithstanding the gallant efforts of Poore. M. G. Salter of Indore, who played a fine innings against the Hindus last week, now partnered the Presidency skipper. The newcomer had a short existence at the wickets as he had made only one when he was smartly held at the wickets by Mulla off Mirza. (17-6-1). Rait Kerr was now associated with Colonel Poore.

The Presidency then met with the greatest disaster of the day and the biggest piece of ill-luck, Colonel Poore playing one of Kanga's deliveries into his wickets. (17-7-4). There was no stopping the rot now as F. F. Stileman, the newcomer, was quickly sent back, Kanga having him caught in the slips by Mirza. (17-8-0).

COLBECK'S TIMELY STAND.

Colbeck joined Kerr and the batsmen now hit out which is perhaps the only kind of game that should be played on a wicket like to-day's. Colbeck especially banged away merrily, quickly sending up the second decade. The Middlesex amateur had made the pace a bit too hot to suit the Parsis who now put on Elavia to bowl in place of Mirza at the pavilion end. This change in bowling had, however, no effect on Colbeck who continued to hit out and by nicely pulling the new bowler through the leg for four raised the total to 30. The exhilirating partnership between Colbeck and Kerr however came to an end shortly after. The latter skied one off Kanga's deliveries and was beautifully held by Vajifdar. (36-9-3). Dobbie joined Colbeck who was caught at point by Ellavia off Kanga, the Presidency's first innings ending with the total at 36. (36-10-0).

PRESIDENCY FOLLOW ON BETTER LUCK.

The Presidency had not been able to save the "follow on" and consequently they went in to bat a second time. Greig and Haughton opened the second Presidency venture at a quarter to one the Parsi attack being entrusted to Kanga and Mirza. The Presidency now entered upon their second innings with an adverse balance of 213 runs. Haughton drove Kanga twice to the northern boundary. Greig replied with a single off Kanga. The first decade then went up which Haughton greeted with a four off Mirza. Haughton when he had made 7, was missed at mid-on by Elavia off Kanga. The second decade was telegraphed which was a little later followed by the third. Haughton once more put Mirza to leg for 4 and the glorious uncertainty of cricket was once more fully illustrated on this occasion. In the first innings the Presidency were all out for 36 which total they now passed in the second innings without loss. A double change in bowling took place at this stage, Elavia going in place of Kanga and Parekh relieving Mirza. At 1-20 the Presidency score was 45 for no wicket. Runs now came in mostly in singles and twos.

At luncheon time at 1-30 p.m., the Presidency had made 50 without loss —Haughton (not out) 30. Greig (not out), 18, and extras, 2.

HAUGHTON IN AGGRESSIVE MOOD.

On the game being resumed at 2-15 p.m. after lunch, Haughton sent Kanga to the eastern boundary. A few singles followed which sent up the sixth decade. Greig scored a couple of singles, but the scoring was chiefly done by Haughton who seemed to be in a particularly aggressive mood. Haughton again sent Kanga to the boundary and a single by Greig off Mirza telegraphed 70. Two runs later, Kanga was relieved by Parekh whom Haughton sent to leg for 3. Haughton continued playing a capital game and soon reached his own half century amid cheering and a little later telegraphed 80 by magnificently driving Parekh to the boundary. He had another life at this stage being missed in the slips by Mirza off Parekh. He, however, did not long survive this, being held in the slips by Elchidana in Mirza's next over. (84-1-55.) The outgoing batsman had played an excellent game notwithstanding his two mistakes. His brilliant innings included eight-fours and he received quite an ovation on his return to the pavilion. Poore now partnered Greig and he had made only one when he lifted one of Parekh's deliveries and was splendidly held by Kanga who converted an impossible looking chance into a brilliant catch. (85-2-1.) Salter was the next man in to join Greig, but with the total at 93 Greig was clean bowled by Mirza. Greig had played a faultless innings of 29 runs which included one 4. (93-3-29.) Kerr joined Salter who lifted one of Parekh's deliveries and was missed in the long field by Vajifdar. The Indore batsman then sent Mirza to the boundary signalling the century. Immediately after Parekh completely beat Kerr with a beautiful delivery. (100-4-10.) Stileman joined Salter who nearly ran himself out in stealing a run.

SALTER'S OVERBOUND.

The score now mounted up quickly, thanks to some hard hitting by Salter, and at 110 a change in bowling was considered desirable. Kanga relieved Mirza at the pavilion end. Salter continued playing with superb confidence and lifted one of Kanga's deliveries into the Gymkhana tent, this magnificient overbound stroke of his being lustily cheered by the spectators. The telegraph board now showed 120 when Warden took up the attack from Kanga. These changes, however, had little effect on Salter who put the new trundler to the leg for 4. There was yet another change in bowling. Vajifdar relieved Parekh at the Council Hall end. Salter's merry career at the wickets was now cut short, being splendidly held at mid off by Elchidana off Warden. (130-5-29.) Colbeck who had joined Stileman was sent back when he had made only 2, being smartly stumped by Mulla off Warden. (133-6-2.) McCall who partnered Stileman opened with a single off Warden, but was shortly after finely held in the slips by Driver in the same over off Warden. (137-7-3.) Wilson was the ninth representative of the Presidency. Stileman who up-till now had been playing a watching game, now opened his shoulders and scored nine in Parekh's next over. First he hit him for four and then got five off him all run. Stileman's innings then came to an end.

MAGNIFICENT CATCH BY KANGA.

He skied a ball from Parekh and was held at mid off, Kanga bringing off a magnificent running catch. (151-8-21.) The outgoing batsman had contributed an useful innings of 21 which was unmarred by a single chance. In making the last brilliant catch Kanga had his fingers injured and he retired, Haughton fielding in his place by the courtesy of the Presidency skipper. Dobbie who next went in, made the second overbound hit of the day lifting Warden over the Gymkhana fence. The command in Kanga's absence was temporarily taken over by Warden who now entrusted Mirza with the attack. Dobbie made yet another overbound stroke sending Mirza over the southern boundary. The telegraph board soon after showed 180. The game at this stage became intensely interesting. The Presidency had now to make 33 to save an innings' defeat. Dobbie and Wilson hit out right merrily and Presidency hopes ran high. These were, however, shortly after shattered by Mirza who got past Wilson's defence with a fine delivery. (183-9-10.) Captain Twiss, the last man in, was clean bowled by Parekh, and the Presidency second innings terminated with the total at 184. (184-10-1.)

PRESIDENCY.

First Innings.

1.	McCall, c Vajifdar, b Kanga...	1
2.	Wilson, c Driver, b Mirza ...	6
3.	Twiss, c Mulla, b Kanga	3
4.	Poore, b Kanga	4
5.	Greig, b Kanga	0
6.	Haughton, b Kanga	0
7.	Salter, c Mulla, b Mirza	1
8.	Kerr, c Vajifdar, b Kanga ...	3
9.	Stileman, c Mirza, b Kanga...	0
10.	Colbeck, c Elavia, b Kanga...	16
11.	Dobbie, not out	0
	Extras.....	2
	Total.....	36

Fall of Wickets.

6-1-1, 12-2-6, 12-3-3, 16-4-0, 16-5-0, 17-6-1, 17-7-4, 17-8-0, 36-9-3, 36-10-16.

Bowling Analysis.

	O.	M.	R.	W.
Kanga	8	2	14	8
Mirza	6	2	12	2
Elavia	2	0	8	0

PRESIDENCY.

Second Innings.

1.	Haughton, c Elchidana b Mirza	55
2.	Greig, c Mirza	29
3.	Col. Poore, c Kanga, b Parekh	1
4.	Salter, c Elchidana, b Warden	29
5.	Kerr, b Parekh	21
6.	Stileman, c Kanga, b Parekh,	21
7.	Colbeck, st. Mulla, b Warden	2
8.	McCall, c Driver, b Warden ...	3
9.	Wilson, b Mirza	10
10.	Dobbie, not out.	20
11.	Twiss, b Parekh	1
	Extras	12
	Total	184

PARSIS.

1.	Dr. Kanga, c McCall, b Dobbie	71
2.	J. S. Warden, b Dobbie	1
3.	Driver, b Wilson	60
4.	Kapadia, c Wilson, b Twiss ...	6
5.	Mulla, c Greig, b Dobbie ...	50
6.	J. Elchidana, b Dobbie.....	17
7.	H. J. Vajifdar c Poore, b Dobbie	12
8.	P. D. Chothia, l-b-w b Greig..	7
9.	M. D. Parekh, b Greig	0
10.	J. Elavia, l-b-w b Dobbie.....	0
11.	B. Mirza, not out	4
	Extras	21
	Total	249

Fall of Wickets.

5-1-1, 124-2-71, 133-3-6, 189-4-60, 210-5-50, 228-6-12, 243-7-17, 244-8-0, 245-9-0, 249-10-7.

Bowling Analysis.

	O.	M.	R.	W.
Dobbie	33	9	68	6
Haughton	18	5	52	0
Twiss	18	3	56	1
Wilson	17	5	31	1
Greig	7	2	14	2
Poore	2	0	7	0

Fall of Wickets.

84-1-55, 85-2-1, 93-3-29, 100-4-1, 130-5-29, 133-6-2, 137-7-3, 151-8-21, 183-9-10, 184-10-1.

Bowling Analysis.

	O.	M.	R.	W.
Kanga	9	2	37	0
Mirza	14	2	50	3
Elavia	3	1	4	0
Parekh	18	5	52	4
Warden	7	1	25	3
Vajifdar	2	0	4	0

PRESIDENCY CRICKET.

Photo by Messrs. Bourne & Shepherd. *Bombay Chronicle Press.*

PRESIDENCY v. PARSIS.

His Excellency Lord Willingdon was photographed with the teams on Monday last.

CRICKET AT KIRKEE.

ROYAL ARTILLERY v. FIRST MIDDLESEX REGIMENT.

(From Our Correspondent.)

POONA, Sept. 1.

A one innings match played on Sunday at Kirkee between the Royal Artillery and the First Middlesex Regiment, resulted in a win for the former by four wickets and 230 runs.

Scores:—

ROYAL ARTILLERY.—Lt. Love, 183; Kirkwood, 63; Bdr. Wrad, 1; Lt. Publes, 35; Corpl. Nial, 2; Bdr. Hibder, 14; Dr. (not out), 1; Gr. Hasthorpe, Sergt. Spencer, Capt. Sarson and Lt. Gordon, did not bat. Extras 6. Total 307.

FIRST MIDDLESEX REGIMENT.—Sergt. Winney, 15; Pte. Philo, 0; Pte. Russell, 3; Corpl. Bowles, 5; L.-Cpl. Harris, 6; Pte. Doll, 20; Pte Sutton, 8; Pte. Lowden, 0; Pte. Stileman, 15; Sgt. Pigot, 0; Sgt. Butterworth, 1; Extras, 4. Total 77.

RUGBY FOOTBALL.

BOMBAY TOURNAMENT.

The annual Rugby Football Tournament organised by the Bombay Gymkhana will be held on Thursday and Saturday next. It has always been a difficult matter to sustain interest in the handling code and here have never been many entries, only three competing this year. That two of these, however, are visiting teams will mean a considerable amount of interest. They are the Bombay and Poona Gymkhanas and the holders, the West Ridings. The last named are considered to be the leading Rugby players in the country and, though at one time it was likely that they would be run very close indeed, they are now almost certain winners. As a whole, they are stockily built, very strong runners and tacklers, trained to last any game out and thoroughly understand one another. That the Bombay Gymkhana had brilliant prospects of turning out a really hot side is evident by the fact that in a practice game they were unlucky to lose against the afore-mentioned combination. The local team were first to score an unconverted try and it was only close on time that the Ridings dropped a goal, their favourite mode of scoring, and won by four points to three. Since then they have been very unfortunate, as is so often the case, and have lost several of their best players—some of those who made them a strong side behind the scrum. As things stand the "threes" will lack both pace and weight, the latter being recognised as more of an acquisition now than in the old days. Hearson, the old Cambridge Blue strong on the inside in attack and defence, Baker, another good tackler with pace, and the Hon. Secretary, Douglas, a hard one to pass or to stop, will be seriously missed. The latter pair are not only unable to play here but also to go to Calcutta, but Hearson, who has been down with fever, may be well enough again to make the trip—the Tournament commencing there on the 12th, and probably concluding on the 16th instant. A sinew is thought to have snapped in Dougal's thigh and Baker has hurt his hand too badly for it to mend in time. Ash, who was one of the best halves in the country, will now drop back too three-quarters, where sound tackling should make up for lack of pace. He can be spared from half, as both Preston and Mills are quick and get the ball away to the sprinters smartly. Barstow is a back out of the ordinary and finds touch particularly well. Forward there is weight and no end of keenness in helping the defence or rushing. It is scoring strength that is likely to be missed, where at one time it seemed certain that the team would more than hold its own in that division.

The above two are to meet on Thursday, the winners to play the Poona team in the final on Saturday. Recently Poona were successful when visited by a fifteen from Bombay, but the latter had a poor side out and are likely to be the stronger here.

Following is the team to represent the Bombay Gymkhana:—

Barstom, back; Maclaren, Ash, Muir, Kilby, three-quarters; Preston, Mills, halves; Kemp, (Capt), Inder, Rich, Jones, Rieu, Carpenter, Wilson, and Bell, forwards.

The draw is:—

Bombay Gymkhana and West Ridings, Thursday 4th. Poona Gymkhana Bye. Final Saturday 6th.

Kick off at 5-45 sharp on the Oval.

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EDITOR,
"Bombay Chronicle,"
Bombay.
Photos.

Domestic Occurrences.

BIRTHS.

HEALEY.—At Fyzabad, United Provinces, 16th August, the wife of Arthur A. Healey (Sergeant-Major, East Yorkshire Regiment), of a daughter.

PIKE.—At Aligarh, U.P., 16th August, the wife of Francis F. Pike, of a daughter.

DEATHS.

GWYTHER.—At the General Hospital, 19th August, Maria Adelaide, the beloved wife of F. W. Gwyther, of Saidpur, E. B. S. R.

HOMFRAY.—At Igatpuri, on the 30th August, 1913, Ellen Charlotte, the dearly loved wife of R. S. Homfray. Deeply regretted. (English papers please copy).

IRVINE.—At Murree, 19th August, Mrs. Irvine, wife of Lieutenant-Colonel T. W. Irvine, I.M.S.

PUBLIC ENGAGEMENTS.

TO-DAY.

The Gandharva Nataka Mandali—opening performance, New Elphinstone Theatre, corner of Grant Road, 8 p.m. (S.T.).

French Room. Lantern Lecture by Prof. P. L. Charlier, on The Art of Drawing, part III. 6-30 p.m.

Ramzan id. Bank Holiday.

Cricket at Poona: Presidency Europeans v. Parsis, Poona.

Poona Races, First Meeting, First Day.

THURSDAY, SEPTEMBER 4.

Ganesh Chaturthi, Bank Holiday.

Poona Open Polo Tournament.

Alliance Francaise: 14th meeting, Musical Entertainment, 6-15 p.m.

Mails for Seychelles, Lamu, Mombasa, Ibo, Chindi, Zanzibar, Quilimane, Mozambique, Beira and L. Marquis, per steamer Pallamcotta, will be closed at the General Post Office, at 5 p.m. Correspondence for Natal, Cape Colony and other places in South Africa will also be forwarded by this steamer.

FRIDAY, SEPTEMBER 5.

Victoria Jubilee Technical Institute, Jubilee Celebrations.

SATURDAY, SEPTEMBER 6.

Bombay University Senate, 5-45.

Meeting called by the Bombay Presidency Association about the separation of the Judicial and Executive Branches of the Indian Administration, Framji Cowasji Institute Hall, Dhobi Talao, 6.

Poona First Races, Second Day, Poona.

DAILY.

Excelsior Cinematograph, Novelty Theatre, 6-30 to 8; 8-30 to 9-30; and 10 to 11-30.

America-India Cinematograph Charni Road, 7 to 8; 8-30 to 9-30; and 10 to 11 p.m.

THE BOMBAY CHRONICLE.
September, 3 1913.

NEW DANGER OF THE PRESS ACT.

"It is of no use to attempt to convince us that it is a very drastic measure, because we feel sure that it is not. We have put in all kinds of safeguards. I will mention another which my Hon'ble friends seem to have forgotten in their hurried perusal of the Bill. When the Local Government makes the order of forfeiture, the Bill provides that it must state or describe the offending words or articles, or pictures, or engravings, or whatever it is upon which it bases its order. *No making an order which is vague, which is indefinite, no order without allowing the man to know what he is being punished for, but a definite order stating the very works of the article or describing it as that which the man is being punished for.* Is not that a safeguard? Apart from the tribunal of appeal, is it not a safeguard to provide that a man will not have his security forfeited without being told exactly what he has written' that is taken 'exception to?"—The Hon. Mr. Sinha on the Press Act. Imperial Legislative Council, Feb 8, 1910.

When the Press Act of 1910 was under discussion in the Imperial Council the drastic character of its provisions was subjected to so damaging a criticism by the unofficial members that the Government were constrained at the last moment to put up the Hon. Mr. S. P. Sinha, who was then Law Member of the Viceroy's Legislative Council, to reply to these attacks. The Act was introduced to deal with an urgent and dangerous state of affairs. Political crimes of the most heinous and daring character had been recently committed and it was held by the Government, and very eloquently urged by Mr. Sinha, that the political conspiracies, of which these crimes were believed to be the result, were largely inspired by the dangerous and unlicensed propoganda of a section of the Press. The opponents of the measure urged that the existing provisions of the Penal Code were in every way sufficient for the purpose of suppressing seditious writings of the kind aimed at, and they contended that the provisions of the Act were so wide in the powers they gave to the Executive, and so vague in the terms describing the circumstances under which those powers could be used, as to place the whole Press absolutely at the mercy of the Executive. Mr. Sinha, speaking on behalf of the Government, disclaimed in the most emphatic words any such intention on the part of the framers of the Bill, or the justifiability of such an interpretation of its terms, and he made a great point in the passage quoted above, that no order could be made for the forfeiture of any Press or publication without definitely stating the very words of the article which it was desired to suppress. It is clear from the judgment delivered by the Chief Justice of Bengal in the case of the suppressed pamphlet, "Come Over into Macedonia and Help Us", that it was Mr. Sinha who had apparently made a too "hurried perusal of the Bill," and not Mr. Gokhale and Mr. Basu, who wisely foresaw the possibilities of Executive action under this Act. In the case in question, the Government declared the pamphlet forfeit without troubling themselves to state the grounds on which they held it to contain words calculated to bring into hatred or contempt a class or section of His Majesty's subjects in British India. Section 4 of the Act of 1910 imposes this obligation on Government, and on the face of it, it would naturally be expected that a failure to comply with the provision would make the order of Government null and void. So it would, until we come to Section 22, which provides that every declaration purporting to be made under the Act shall, as against all persons, be conclusive evidence that the forfeiture therein referred to has taken place. Therefore, as the Chief Justice of Bengal puts it, "the result is that though I hold the notification does not comply with the provisions of the Act, still we are, in my opinion, barred from questioning the legality of the forfeiture it purports to declare." Thus we have one more instance, of many which have occurred here and in other countries, of the danger of accepting the assurances of a Minister, when pressing a measure on the Legislature, that the Government will never, never, put it to the drastic uses which discriminating members of the assembly fear. In this instance there was not only the assurance of the responsible Minister that the Act was not intended to be used in the way in which it now has been used, but there was also, what we may call the expert opinion of the Legal Member, that it could not be so used. The first comment which this important judgment, therefore, suggests is that members of the Legislature and the public should be very wary of such assurances on the part of Ministers, however well-intentioned and however honestly believed in; secondly, that the obligation lies upon an honourable Government now to amend the Act, so that its provisions shall comply with the intentions which Government had in view, and to refrain in the meanwhile from taking advantage of the provisions as they stand; and lastly, that, if the Press at large has any respect for its freedom, it should not be so ready on future occasions to welcome, without the closest scrutiny, measures which, though aimed at less reputable publications, may affect those which are perfectly honest and respectable.

Although the High Court had no power to question the order of the Government in this case, Sir Lawrence Jenkins very properly exercised his right to enter into the question as to whether the pamphlet under discussion contained words of the nature described in Section 4, sub-section 1 of the Act. His Lordship pointed out that the provisions of the section are very comprehensive and its language as wide as human ingenuity can suggest. "It is difficult to se," says the judgment, "to what length the operation of this section might not be extended by an ingenious mind," and it goes on to point out that it might certanly extend to writings which would even comand approval. In the present instance, as a matter of fact, it extends to writings which do and should command approval. Everyone knows now that atrocities of an abominable character were committed by the Bulgarian Army on Mussalmans in Macedonia. While the Press of Europe has never been slow to advertise atrocities of this character when committed by Turks, the outrages which attended the passage of Bulgarian troops in Macedonia passed almost unnoticed, and the object of the proscribed pamphlet was to appeal to the high sentiment of Christian England to exert itself on behalf of an oppressed people, and to move the Concert of Europe to take some action on their behalf. It is not a violently worded document, and we do not think that it would be claimed on behalf of Government that its objects were not worthy or its language not comparatively moderate. But, it was pointed out during the hearing of Mr. Mohamed Ali's application that the reflection of the hatred it might bring on the unchristian Christians, whose deeds of atrocity are described, might fall on His Majesty's Christian or English subjects in British India. This is, we think, a far-fetched view, but Sir Lawrence Jenkins says that, if it is the Government's view, with all the information at its disposal, the man in the street is not entitled to affirm that it could not be so with the degree of assurance that would entitle a Court to set aside a measure of safety on which the Government had solemnly resolved. We find it difficult to accept this view. We are not living in the Dark Ages, even in India, and we cannot conceive that it is in the interests of good Government, or the community at large, that the Executive should be given *carte blanche* to work in secret. We are not at any time convinced of the desirability of repressive measures of this character, but, if they are to be effective, without creating suspicion and discontent, it is essential that Government should be bound honestly to state its reasons for what it does. The reason of the suppression of this pamphlet is presumably that it might unduly inflame the fanaticism of Indian Mohammedans. We think this is a mistaken apprehension. The Mohammedans of India, or at any rate those who guide them in these matters are fully capable of discriminating in a matter of this sort, and they have not hitherto notably failed to show that capability. On the other hand, there is a grave danger to be apprehended,—as is always the case in the suppression or limitation by the Executive of public writings,—that the more ignorant section of the community will attribute such action to timidity on the part of Government, or will assume that the authorities are afraid of the truth. To our minds there is no question as to which is the greater danger.

A GRAVE PUBLIC DANGER.

The Public Works Department has suddenly declared the building in which the Small Causes Court of Bombay is housed dangerously unfit for use. The Small Causes Court is therefore closed pending the discovery of a suitable court-house in which to reopen a tribunal, the temporary cessation of whose operations will cause great inconvenience to the public. We took occasion to condemn the insanitary barracks which do duty for the petty civil courts in Bombay, when we urged the imperative necessity of expediting the sanctioned new structure, in connection with the questions asked at the Council by Mr. Setalvad. It is surprising that the Bombay Bar has put up with the discomforts of malodorous, noisy, cramped, ill-lighted rooms in which judges, pleaders and litigants gather together day after day to be inured to physical hardships and aesthetic offences, as a portion of their daily duty. But a grave peril has to be faced, not only by the litigating public, but by the public at large, when a law court threatens at any moment to come about one's ears. The apathy of the authorities may be judged from the undoubted fact that the last lodgings of the Small Causes Court were vacated almost precisely under the circumstances which forced the closing of the same courts yesterday. Very probably these courts would still be under the dilapidated roof, adjoining a noisy school and a slightly less noisy college, but for the menace of collapse which was imminent in the old structure. It is a mercy, however, that timely warning has been given and a probable tragedy averted. But the state of affairs recalls disasters which have recently taken place. It is not long since we had the Dadar mishap; while a coroner's inquiry is still proceeding anent the fall of a stable which caused two fatalities. How many other large cities suffer from the same engineering incapacity, adroit evading of Municipal laws or whatever else singly or collectively has given Bombay ill-repute in the matter of tenament buildings. A splendid row of buildings in Hornby Row has to be supported by gigantic transversals; another one, also newly put up, is similarly propped on the Kalbadevi thoroughfare. Quite a number of less pretentious mansions, freshly built, need something more than their owners allowed in the way of structural supports to keep them from falling to pieces This scandal seems on a fair way to be epidemic in the city. Without going so far back into ancient history as the Sitaram building disasters, we have had of late an alarming crop of habitations, which are by themselves a peculiar species of peril that can and ought to be forestalled. And our anxiety for our life and limb does not tend to diminish when we are confronted with the amazing divergence of professional views lightheartedly advanced by Bombay engineers. We had occasion to remark on the severe criticism passed by Sir Dinshaw Davar, only the other day, when quite a galaxy of architectural talent delighted in solemnly deposing to glaring contradictions as to the valuation of a certain property. Of more perplexing conflict are the testimony of the two professionals who gave evidence before the coroner touching the fallen stable. One expert declared that the house was erected only about six years ago, and that all the requirements of the Municipal Act were then complied with, but that in his opinion the collapse was due to "faulty construction of the ridge ventilator roof." The other gentleman, on the contrary, "did not think the ridge roof had anything to do with the collapse; he noticed the ends of the trusses under the gutter were rotten in places." Perhaps more definite light will be forthcoming in the further course of the enquiry; but it should need no special stress from the press to urge immediate enquiry into a condition of affairs which is a negation of security in Bombay.

DAY BY DAY.

Viceregal Dinner Party.

There was a dinner party at Viceregal Lodge yesterday evening, and among those present were:—Lord and Lady O'Dwyer, Lord and Lady Pentland, the Maharajah of Patiala, Sir Michael and Lady O'Dwyer, Sir Harcourt and Lady Butler, Mr. Syed Ali Imam, Sir Percy and Lady Lake, Sir Arthur Reid, Mr. Porter, Sir Henry and Lady McMahon, Surgeon-General Sloggett, the Rev. Durant, Mr. and Mrs. Mant, Brigadier-General and Mrs. Peyton, Raja and Rani Harnam Singh, Lady Cleveland, Mrs. Wood, Mr. L. W. Reynolds, Major Elliot, Mrs. Scott (wife of Lieut.-Col. T. E. Scott), Sir James and Lady DuBoulay and Colonel Lee.

Allotment of Hardinge Anna Fund.

The Associated Press of India is requested to intimate that Her Excellency Lady Hardinge of Penshurst has decided to allot, as follows, the proceeds of the Anna Fund, presented to her by the women of India. Of the total received, viz, Rs. 99,000:—(1) Rs. 80,000 will be given to the Hon. Mr. W. Hailey, C. I. E. for the construction of a sarai on model lines near the terminal station at New Delhi, suitably arranged for the benefit of Hindu and Mahomedan travellers; (2) Rs. 15,000 to the Most Reverend the Metropolitan to inaugurate a fund for the purpose of constructing a church in New Delhi; (3) Rs. 2,000 to the Robert's Nursing Home at Indore and (4) Rs. 2,000 to the Moga dispensary in the Ferozepore District.

Sister Nivedita's Book.

In addition to the volume of "Studies from an Eastern Home," which Messrs. Longmans have published, several other books by Sister Nivedita are in preparation. The most important is "Myths of the Hindus and Buddhists," which Sister Nivedita undertook in the last year of her life. She had completed the section dealing with the legends of the Mahabharata before her last illness, and the supplementary portions (the stories of the Ramayana and others) have been added by Dr. A. K. Coomaraswamy. The whole, specially illustrated by members of the Calcutta School of Painting, makes a sumptuous volume, which will be published some months hence by Messrs. George Harrap and Co.

Indian Students in England.

The advisory committee constituted in 1909 to deal with matters affecting Indian students in England, has now been re-organised. It will consist henceforth of a chairman and not more than twelve or less than eight members, of whom at least half shall always be Indian gentlemen resident here. The appointments are to be made by the Secretary of State for a term of three years, and the power is given to elect Indian gentlemen visiting this country for short periods to serve as honorary members, without the right to vote. The functions of the Committee are to keep themselves informed as to the views of parents in India; to advise the Secretary of State whenever he may wish to consult them; and to bring to his notice matters respecting the needs of the students on occasions when in the Committee's judgment official action may usefully be taken. The Committee has arranged to meet regularly on the first Monday in each month, and has appointed Sir Mancherjee Bhownaggree vice-chairman.

Pioneer Female Education Institution.

One of the oldest educational institutions in India celebrated its Jubilee a few months ago. The report of this "Alexandra Native Girls' English Institution" has just been issued by the President, Mr. C. M. Cursetjee. The modest compilation embodies in connection with the Jubilee, a gracious message from H. M. Queen Alexandra. Colonel Henry Streatfield, addressing Sir William Wedderburn, through whom the Jubilee prospectus was placed before the Queen writes: "I am directed by Her Majesty to say that she hears of the Jubilee which is to be celebrated in March next with much interest. Queen Alexandra fully recognizes the useful and successful work which the Institution has carried on during the past fifty years and I am to ask you to be good enough to convey to Mr. C. M. Cursetjee and the Directors her sympathetic approval of the project, which is in contemplation to develop female education in India and to express to them and to those who are so generously supporting the movement, Her Majesty's sincere hopes for the future success of the school." The daily average attendance of the school is one hundred and thirty-one, comprising Parsi, Hindu, and Moslem girls, among whom the Parsi element has a preponderating majority.

The Jubilee Festivities.

The Jubilee festivities commenced on March 10, and lasted till the 22nd of that month. The most conspicuous event, perhaps, of the celebrations was the annual prize distribution which took place on the 14th. Madame Sarojini Naidu presided, lending distinction to a memorable day in the annals of female education on this side of India. Her masterly address, printed in the Report, was conceived from the standpoint of "an educated Hindu lady, a subject of the most important Mussalman principality of India, the one ruled over H. H. the Nizam." The speech refers to the many efforts of Maneckjee Cursetjee in behalf of young women's culture, half a century ago when the pioneers had to encounter an opposition of continual bigotry and organised ostracism which it requires an effort to-day to picture to oneself in Bombay. Quite a crowd of lesser seminaries and even more popular schools have sprung up in our midst more or less emulating the sound grounding imparted in the Alexandra Institute. In the next annual Report we should like to see dropped the expression "native" qualification of the Institute.

Mortality Returns.

There were two attacks and three deaths from plague in Bombay City during the twenty-four hours ended at 6 a.m. on Tuesday. Both the attacks were reported from Mandvi. There were no cases of either cholera or small-pox during the period under notice. The total mortality from all causes was 81, as compared with 96 of the corresponding period of last year and 88 of that of the year before. Out of the 1,355 rats caught by the municipal rat-catchers on Monday, five were found to be plague-infected.

RAILWAY SMASH.

MIDLAND EXPRESSES COLLIDE.

NINETEEN CASUALTIES.

(REUTER'S TELEGRAM.)

LONDON, Sept. 2.

While the two Midland expresses from Carlisle were travelling southward, one ran full speed into the rear of the other near Rosgill, on the big ascent up the Shap.

It is officially stated that nine were killed and ten injured.

DETAILS OF THE CRASH.

According to later details, it was raining and was very dark when the collision took place. The stationary Express had almost reached the summit of the Pennines and was doing its utmost to get up steam for the remaining section when the guard saw sparks of the other Express coming on behind and rushed along the corridors awakening the passengers. The crash is described as terrible, reverberating among the steep mountains. Almost immediately four carriages caught fire and several passengers were burnt to death. The rescue parties made heroic efforts to extricate those pinned under the carriages, amid a heat so great that the rails were twisted.

TERRIBLE SCENES.

TWO COACHES BURNT TO ASHES.

The Glasgow Express had stopped at Aisgill, near Hawes, not at the Shap, through want of steam, when the Aberdeen-Edinburgh express dashed into its rear with terrific force at two in the morning The engine went clean through end carriage.

Terrible scenes ensued, two coaches being burnt to ashes.

Rescue trains with doctors were hurried to the spot.

FRENCH MANŒUVRES.

AIRMEN'S NECK-RISKING FEATS.

(REUTER'S TELEGRAM.)

LONDON, Sept. 2.

Four Army airmen flew from Montrose to Limerick to attend the manœuvres, and descended simultaneously amid a great ovation.

A telegram from Paris says that the French airman Pegoud, who is noted for his neck-risking feats, successfully turned a somersault in the air at a height of three thousand feet, with a monoplane.

PEGOUD'S ASTOUNDING FLIGHT.

Pegoud's flight was an astounding performance. He used a Bleriot monoplane fitted with a new arrangement of rudders and levers which Bleriot, in an article, asserts give the aviator complete control in any position, and even enable him to fly upside down. Pegoud first turned the machine vertically downwards, and then upside down and flew a hundred yards with wheels upwards. Finally he turned sideways to a normal position, and volplaned to earth.

He will repeat the performance today before the military authorities at Suc.

KILLARNEY HOUSE FIRE.

£400,000 DAMAGES.

(REUTER'S TELEGRAM.)

LONDON, Sept. 1.

Killarney House is still burning and all hope of saving any part of it has been abandoned. The damage amounts to £400,000.

ENGLAND AND OLYMPIC GAMES.

AMERICA'S GRAVE QUALMS.

(REUTER'S TELEGRAM.)

LONDON, Sept. 1.

Americans express alarm at the British appeal for £100,000 to train athletes for the Olympic Games in 1916 and have grave qualms as to the uses to which the money will be put.

The Secretary of the American Olympic Games Council says America may withdraw.

The British Olympic Games authorities, however, affirm that no one will withdraw. The fund will be devoted to training facilities and expert advice, etc., with amateur athletic associations working with the Olympic Games Committee. The strictest amateurism will be maintained.

PLAGUE IN POONA.

(From Our Correspondent.)

POONA, Sept. 2.

The figures for the 24 hours ended at 6 a.m. this morning show a rapid rise. There were 13 attacks and 10 deaths in the city.

HORNELL APPOINTMENT.

VIGOROUS ATTACK ON LORD CREWE'S PLEAS.

SIR A. CROFT'S TRENCHANT CRITICISM.

(REUTER'S TELEGRAM.)

LONDON, Sept. 2.

In a letter to the "Times," to-day, Sir Alfred Croft vigorously assails the Government's defence of the appointment of Mr. Hornell on all points. He altogether disputes Lord Crewe's assertion that "It will be recognised by the service generally that the Government of India has done its best to find the particular man fitted for the particular work required, and has succeeded."

"What the services in India say with a bitter sense of injustice," Sir A. Croft continues, "is that Government has gone out of its way to appoint a man conspicuously unfitted for work to be done, namely, the improvement and expansion o fprimary and secondary education in Bengal, Mr. Hornell, in his brief Indian career, having probably never set foot inside an Indian school of either class."

After dealing seriatim with Government's other pleas based on Mr. Hornell's experience, Sir A. Croft proceeds, "Lord Ampthill's remarks in the House of Lords pointed clearly to hidden influence, and nothing Lord Crewe said will weaken this impression. Every educational officer in India will regard Lord Crewe's argumetns only as so many attempts to defend an indefensible action. They see their position fatally weakened by the appointment and know that arguments similar to those employed in its defence can always be advanced on similar occasions. They will be confirmed in the belief that the plain promise conveyed in Lord Morley's despatch in 1906 has been broken. The defence throughout is too tainted with irrelevancies to carry conviction."

SOME PERTINENT QUESTIONS.

Sir A. Croft suggests that further information be sought in Parliament on the following points:—

Firstly, Is it known that Lord Carmichael recommended Professor James as an alternative in case Mr. Hornell's services were not obtainable, thus declaring that Mr. James was qualified, and thereby excluding the appointment of an outsider? Did the Government of India forward this alternative recommendation?

Secondly, It is believed that Lord Carmichael, on a fuller knowledge of the facts, tried to cancel his recommendation of Mr. Hornell in favour of Mr. James. Were Lord Carmichael's wishes conveyed to Lord Crewe?

Thirdly, Was the retiring Director of the Educational Service consulted, and what was his opinion?

Fourthly, When the Government of Bengal decided to pass over Mr. James, were other local Governments consulted in accordance with Mr. Morley's despatch of 1906 regarding the fitness of their officers?

APPOINTMENT OF OUTSIDERS.

Sir A. Croft quotes an earlier resolution of the Government of India declaring that the appointment of outsiders must necessarily tend to lessen the attractiveness of the Educational Service and lead to the deterioration of the class of candidates for it.

EFFECT ON UNIVERSITIES.

Sir A. Croft concludes, "It is a calamity that the warning should soon be forgotten. Hitherto the Universities have been anxious to send their best men into the Educational Service, trusting that they would receive fair and honest treatment. How is it possible for them, in face of this appointment, to hold out such hope to intending candidates in future?"

Members of the House of Commons representing Universities are following the matter with close interest and are not likely to let the matter rest.

AMAZING STORY FROM PAPUA.

MINERALOGIST EATEN BY NATIVES.

(REUTER'S TELEGRAM.)

BRISBANE, Sept. 2.

According to advices from Papua, John Warner, a middle-aged mineralogist of German-American descent, was exploring for radium when he was killed and eaten by his two native companions. The latter escaped.

POLICE AND DUBLIN RIOTS.

CORPORATION DEMANDS ENQUIRY.

LOCK-OUT THREATENED.

(REUTER'S TELEGRAM.)

LONDON, Sept. 1.

The Dublin Corporation this afternoon, passed a resolution demanding immediate enquiry into the conduct of the police in the recent rioting.

The Lord Mayor declared that if the authorities refused, he would himself conduct the enquiry. He appealed to the citizens not to gather in the streets to-night.

Altogether 433 civilians have been conveyed to hospital, while 45 police have been injured.

A general lock-out is threatened. Further, a large firm has forbidden its employees to wear trade-union badges during work hours.

Although so far the position to-day is quiet, people are resentful of the severity of the police and fresh riots are feared.

LONDON, Sept. 2.

Except for some isolated stone throwing the night passed quietly in Dublin.

LATE MAHARAJA OF COOCH BEHAR.

CREMATION IN LONDON.

(REUTER'S TELEGRAM.)

LONDON, Sept. 1.

The remains of the late Maharajah of Cooch Behar will be conveyed to London on Wednesday for cremation at Golder's Green.

All his near relatives have arrived at Cromer. Prior to cremation, there will be a religious ceremony at Golder's Green.

LORD HALDANE IN CANADA.

ANGLO-FRENCH AND ANGLO-AMERICAN RELATIONS.

(REUTER'S TELEGRAM.)

LONDON, Sept. 1.

Lord Haldane is paying a flying visit to Canada and the United States, leaving the Royal Seal in Commission, an event of the rarest occurrence.

Addressing the American Bar Association at Montreal, he declared that the United States, Canada and Great Britain formed a unique group, because of their common inheritance of traditions and ideals.

He alluded to the friendly relationships which were growing up without treaties, citing that between France and England. We have no convention with France, he said, except one settling old controversies. It has however nothing to do with war.

MYSORE MINE DISASTER.

GOVERNMENT ENQUIRY TO BE HELD.

(ASSOCIATED PRESS.)

BANGALORE, Sept. 2.

In view of the magnitude of the accident in Edgar's shaft, Mysore Mine on the 21st ultimo, and the terrible loss of life involved, the Government of the Maharajah of Mysore have been pleased to direct that an inquiry into the circumstances of the accident should be held as soon as possible by a special committee and a report furnished to the Government. The special committee will consist of Dr. W. F. Smith, the Chief Inspector of Mines, Mr. Justice E. H. Wallace, Mr. C. Srikanteswara Iyer, Inspector General of Police, and one or two of the Chief Engineers of the Mines, selected by the above officers in consulation with the Kolar Gold Field Mining Board. This special inquiry will be undertaken as soon as possible and will be in addition to, and independent of, the technical investigation proposed by the Chief Inspector of Mines.

VAIKOM MURDER CASE.

PROSECUTION WITNESSES EXAMINED.

(ASSOCIATED PRESS.)

MADRAS, Sept. 2.

In the case against Swinny and Mrs. Stephens, who are being tried on charges of murder and abetment of Mr. Buckingham Stephens, the prosecution witnesses, 5 to 7, Kelu the deceased's chokra, Valayavitil Tharyan, owner of the house where Mr. Stephens was found dead, and Igapan, the boatman engaged by Swinny five days previous to the occurrence to take him to Trivendrum, were examined yesterday.

The case is proceeding.

SMALL CAUSES COURT CLOSED.

BUILDING UNSAFE.

LITIGATION SUSPENDED.

ENGINEERS' VARYING VIEWS.

Parties having business to transact at the Court of Small Causes yesterday morning received somewhat of a shock when they learnt that the Court was closed indefinitely. Notices appeared posted on the glass windows of the ground floor to the effect that the offices were closed that day and till further orders. The lively chink of rupees was absent from the cashier's office, where a request for a rupee's change was received with mild amusement in view of the prevailing state of affairs. A few clerks were occupied in shutting up huge ledgers and the place wore a general look of closing for the holidays. Upstairs the lawyers were occupied in their rooms and a stream of people ascended and descended the stairs, but only the Second Judge was sitting.

It is, of course, well known that for three or four months back the premises in Princess Street occupied by the Small Cause Court have been believed to be in an unsound condition. The building is one belonging to the Bombay Piece-goods Association, Ld., and was rented by Government for occupation by the Court of Small Causes, after a part of the roof of the late premises in Picket Road had fallen in and rendered them untenable. The transfer to the present quarters took place so far back as August, 1910, and was intended to be a temporary shift until a new building should be erected. It may be mentioned by the way that the building was passed by the Improvement Trust.

FIRST SIGNS OF DANGER.

The first indications of its faulty condition appeared in the form of cracks in various parts of the building. When these were first noticed the Municipal Engineer was called in to make an inspection, but, apparently recommended no special precautions. A few days ago the cracks assumed alarming proportions, particularly at the corners of the building and the Chief Judge drew the attention of Government to this. The Court house was then inspected by both the Executive Engineer and the Superintending Engineer Public Works Department. Their report has not yet been issued but it is understood that they have pronounced the building to be unsafe. It may, of course, hold together for several months, but in view of the large number of visitors (nearly 10,000) to the Court daily, Government decided that too great a public risk was involved in keeping it open, and authorised the Chief Judge to issue orders for closing at once. At present the mandate is that the Court will remain closed for a week, at the end of which period the official report of the engineers is expected. It is understood that the Improvement Trust Engineer contradicts the opinion of the Government Inspectors, and says that the building requires only a few props between the pillars on the ground floor to make it strong enough to support the whole building. The Trust Engineers made an examination of the premises yesterday afternoon and were to have held a consultation in regard to its condition. There appears to be a wide divergence between the views of the experts. The Public Works Engineer is reported to have said that the arch forming the central doorway supports 37 tons, while the Trust Engineer finds the weight to be no more than 10 or 12 tons.

THE DELAY TO LITIGATION.

The chief concern in the matter is the question where the Small Cause Court can be located if it be found necessary to remove it from its present habitation. The Court, with its offices, occupies two whole floors of the large building and there does not seem to be that space available anywhere else in Bombay at present. The project for the long-promised new building has still to take practical shape, and meantime, Government proposes to erect a temporary structure on Cruickshank Road, it is said, which will consist of a single floor and take no longer than three months to construct. But an entire suspension of the business during even that period is viewed with grave misgivings by all except those to whom bailiffs' visits are not as rare as angels', and who will earn a brief respite from this temporary impotence of the myrmidons of the law.

AUSTRALIA'S CITIZEN ARMY.

(REUTER'S TELEGRAM.)

MELBOURNE, Sept. 2.

Of 17,194 eighteen-year-old youths due to join the Citizen Army, 16,849 have responded.

ADRIANOPLE.

DEPUTATION TO ROME.

ITALY AS PEACE-MAKER.

(REUTER'S TELEGRAM.)

ROME, Sept. 2.

The Foreign Minister, receiving a deputation from Adrianople, said that Adrianople would probably remain Turkish. He would do his best to reconcile Turkish and Bulgarian interests, which would assure lasting peace between the two countries.

WESTWARD OF THE MARITZA.

POSITION OF BULGARIAN FORCES UNTENABLE.

The presence of the Turks westward of Maritza is preventing the Bulgarians from occupying places assigned to them in Southern Thrace, and is making the position of the small forces already there untenable.

A BRITISH AGENCY AT LHASA.

"TIMES'" PEKING CORRESPONDENT'S SUGGESTION.

(REUTER'S TELEGRAM.)

A Peking correspondent of the "Times," dealing with the Tibetan conference at Simla, strongly urges that the opportunity be taken to arrange the establishment of a British Agency at Lhasa. The correspondent adds that spiritually Mongolia and Tibet are firmly bound together, and an influence potent with one would be liable to be reflected in the other. Russia, he says, in view of the recent appointment of a Russian Diplomatic Agent at Urga, would probably welcome a corresponding British step in Tibet.

DROWNING ACCIDENT IN THE CAUVERY.

SAD DEATH OF EUROPEAN SCHOOL BOY.

(ASSOCIATED PRESS.)

BANGALORE, Sept. 2.

Intelligence has been received here this afternoon to the effect that Arthur Johnson, aged 14, the only son of Mr. and Mrs. St. Clair Johnson of Kulhutty Estate, Kadur, was drowned in the Cauvery at Najangud where the boy went with about fifty other boarders of the Bishop Cotton School for the Michaelmas holidays. The remains are being brought to Bangalore by tonight's train, the funeral taking place to-morrow morning.

BRAZIL COFFEE AND RUBBER EXPORTS.

[REUTER'S TELEGRAM.]

RIO DE JANEIRO, Sept. 2.

The export of coffee during the first seven months of 1913 was 4,751,000 bags, a decrease of 274,000 compared with 1912.

The export of rubber was 22,798,000 kilos, a decrease of 1,972,000.

OPIUM TRADE IN MONGOLIA.

CONCESSION TO BRITISH SYNDICATE.

[REUTER'S TELEGRAM.]

ST. PETERSBURG, Sept. 2.

A telegram from Urga says that the Mongolian Government has granted a British syndicate permission to import and trade in opium.

GERMAN MANŒUVRES.

KING OF GREECE WILL ATTEND.

(REUTER'S TELEGRAM.)

LONDON, Sept. 2.

The King and Queen of Greece have gone to Germany, where the King will attend the manoeuvres.

COUNTY CRICKET.

(REUTER'S TELEGRAM.)

LONDON, Sept. 1.

Warwickshire gained the first innings victory over Northants at Northampton.

NAINI TAL EXODUS.

U. P. GOVERNMENT'S EXPERIMENT.

(ASSOCIATED PRESS.)

ALLAHABAD, Sept. 2.

An experiment is to be made next year to keep the U. P. Secretariat down in Allahabad, but according to the present proposals, only five out of the nineteen departments of which it is composed are to form the subject of the experiment, the rest being taken to Naini Tal as usual.

NANKING SEIZED.

LOSS OF LAST REBEL STRONGHOLD.

HEAVY BOMBARDMENT.

(REUTER'S TELEGRAM.)

LONDON, Sept. 1.

The Northerners have captured Nanking after a siege of some days. It is believed that the capture means that *coup de grace* has been given to the Southern rebellion.

Nanking fell after heavy bombardment.

Numbers of rebels escaped by the south gate, but a remnant of the famous rebel Die Hard regiment is still holding out on Lion Hill. Fighting in the streets is proceeding.

YUAN NOT POISONED.

PEKING, Sept. 2.

There is no truth in the story published in London that Yuan Shi Kai was poisoned in May. He was slightly ill at that time but was treated by a doctor at the French Legation. He enjoyed the best of health afterwards.

CHINA'S RIGHT TO SEARCH VESSELS.

The Legations refuse to recognise China's right to search vessels on the high seas for rebels, as a state of war does not exist.

SOMALILAND DISASTER.

OFFICER'S GRAPHIC DESCRIPTION OF FIGHT.

(REUTER'S TELEGRAM.)

LONDON, Sept. 2.

The "Daily Express" publishes a letter from Officer Dunn containing a graphic description of the fight between the Camel Corps and Dervishes in Somaliland last month. The letter says: "The fight began at seven in the morning and lasted five hours. The Dervishes opened fire at two hundred yards and then came right up. The Dervishes nearly annihilated the force, but retired at the critical moment. Sixty per cent. of our men were shot. Only the exhaustion of Dervishes' ammunition saved the British. Their spearmen would inevitably have rushed us if they had been brought up."

CALCUTTA OPIUM SALE.

FURTHER RISE IN PRICES.

(ASSOCIATED PRESS.)

CALCUTTA, Sept. 2.

At the ninth opium sale to-day there was a further rise in prices, the total proceeds of five hundred and seventy-five chests being two lakhs more than was realised at the August sale for the same number of chests. To-day one hundred chests of Bihar opium were sold, the highest price per chest realised being Rs. 3,000 giving an average of Rs. 2,998-12-0 and the total proceeds for the one hundred chests Rs. 29,98,75. Of Benares opium four hundred seventy five chests were sold at an average of Rs. 2,600-0-10, the highest price per chest being Rs. 2,605 and the lowest Rs. 2,595, the total being Rs. 12,35,035. The grand total for sale was Rs. 15,34,900 as against 13,22,175 at the last sale. The general average price per chest was Rs. 2,659-6-3 as compared with Rs. 2,296-2-1 last month.

EXTENSION OF PRIMARY D UCATION.

BENGAL GOVERNMENT'S PROPOSELS.

(From our Correspondent.)

CALCUTTA, Sept. 2.

At Monday's meeting of the Bengal Legislative Council in reply to a qestion about primary education in Bengal the Government in reply said: "It is proposed to establish 511 lower primary schools in the Eastern District. It is proposed to extend the Board primary schools system to Western Bengal at the rate of one upper primary school for each Panchayati Union. There are 1,432 Panchayati Unions without such schools at present. The Director of Public Instruction is considering proposals for the immediate establishment of one-fifth of this number. The average annual cost of the establishment of a Board is Rs. 162 in Eastern Bengal. In Western Bengal, where the schools are of an upper primary status the cost is Rs. 216. The area served by such a school is a Panchayati Union. In Eastern Bengal the average attendance is 52. The opening of a Board school does not involve withdrawal of grants from other schools, except when the existence of other schools in the neighbourhood is considered unnecessary. The policy is one of concentration by withdrawing grants from weak and superfluous schools. About 900 schools were closed during 1909-1910. The decrease has not been made up. On the contrary there has been a further decrease in the number of aided primary schools, but the number of pupils increased by about 10,000 by the close of the year 1911-1912."

OPINIONS OF THE DAY.

The Railway Must Come.

The "Pioneer."—We have consistently held to the idea that the railway must come sooner or later always provided that the cost is not shown to be prohibitive; and apparently the promoters have satisfied themselves on this point as it is said that the Russian supporters are now "most enthusiastic." The policy which the British Government have to shape in the interests of India must be based not only on commercial but on strategic considerations also. . . Strategically the Bandar Abbas route is unquestionably the better of the two, but commercially it is so bad that the promoters may reject it summarily. They are financiers and not diplomatists and they will look to a return on their capital. A difference in gauge also seems essential from the strategic point of view as the defence of the western frontier of India has to be considered; and finally the point of junction between the northern and southern sections should be as far from Karachi as possible. Given the metre-gauge with bridges and tunnels of a type that would absolutely prevent their use by broad gauge stock, and the junction so far inland as Kerman, the route might leave the seaboard near Gwadur, and Kerman might be accepted as the junction-station.

What the Money Market Wants.

"Times of India."—What it [the money market] wants to-day is the tonic of confidence—the knowledge that the Government Balances will be freely liberated if necessary. If Government study the history of the Financial Department they will appreciate the desirability of prompt action. In 1907 the Finance Department was asked for an assurance that sterling bills would be forthcoming if they were wanted. Sir Edward Baker hesitated, and gave such a shock to exchange that eight millions sterling of bills had to be sold before the demand was stayed. We venture to apply the lessons of those days to the present emergency. If the assurance that the surplus balances of Government will be released on terms acceptable to the market is made before the stringency grows severe, then the effect will be immeasureably greater than if action is delayed until acute stringency is established.

Need for Central Bank.

The "Madras Mail".—We are reminded by a letter lately written by Mr. D. E. Wacha to a Bombay contemporary what rapid strides Indian Banks have made of late years. Their capital and reserves have increased in eleven years from Rs. 1.27 to Rs. 4.12 crores, while their net deposits have risen from Rs. 6.88 to Rs. 21.67 crores; and meanwhile their cash-balances have fallen to about 11 per cent. of their liabilities. So far as can be ascertained, the ratio of cash to liabilities generally is only somewhere about 22 per cent. This can hardly be regarded as satisfactory; and while we see the Government holding their reserves in solid cash, we see bankers in general holding reserves of apparently insufficient strength. It is not only the Government's system, but the bankers' (and particularly the new Indian bankers') system that needs revision. We conceive that the State Bank would assist to remedy both evils. As a well-informed critic recently said, the absence of a central banking authority leads to a general lack of direction in the banking policy of the country. It is no one's business to look at the matter as a whole, to know the position of the various Banks, and to urge a policy of prudence where it is needed. The creation of a State Bank would furnish the Government with financial advisers of much wider experience than they enjoy at present.

Social Service League.

The "Parsi".—The league has touched many of the most important of our social needs, and has succeeded because it supplies a crying need. It is a matter of satisfaction to us to take particular note of the fact that Parsi charity has not failed to patronize this cosmopolitan mission of light and philanthropy; and Mr. Ratan Tata's name figures among the most prominent of its financial supporters. Another Parsi gentleman, also obliged the league by giving one benefit performance in a cinema theatre. We are sure Bombay appreciates and will appreciate further as it becomes known, the excellent work that the Social Service League is doing, and we have no doubt that the eloquent appeal for funds at the end of the report—a massive booklet of 28 pages with a complete balance sheet and more than half a dozen statistical appendices,—will receive a generous dices, the eloquent appeal at the end poor alike. The League is housed in the the Bombay Home of the servants of India Society, on the Sandhurst Road. Its members must be counted by the thousand.

CALCUTTA IMPORT WAREHOUSE.

(ASSOCIATED PRESS.)

CALCUTTA, Sept. 2.

It is understood that one of the important questions to come up before the Port Commissioners at their next meeting will relate to the delivery of imports. It is understood that a scheme is under consideration for creating a new import warehouse which will be within easy reach of importers and thus result in a considerable reduction in carrying expenses. The scheme, if carried out, will involve an enormous expenditure.

EARTHQUAKE AT MANDALAY.

(ASSOCIATED PRESS.)

RANGOON, Sept. 2.

An earthquake shock was felt at Mandalay on Monday morning a few minutes after nine o'clock. The direction was east to west and the shock was quite a severe one.

PROSCRIBED PAMPHLET.

HIGH COURT AND EXECUTIVE UKASES.

A FREE HAND TO GOVERNMENT.

UNSUSPECTED POWERS OF PRESS ACT.

(From Our Correspondent.)

CALCUTTA, Sept. 1.

The Chief Justice in his judgment in the above case after quoting the Notification complained of, and Sections 12, 13 and 14 of the Press Act, said:—Two conditions are necessary to a forfeiture in accordance with the terms of Section 12. First, it must appear to the Local Government that the publication contains words, signs or visible representations of the nature described in Section 4, sub-Section (1); and secondly, the Local Government must, by a notification in the local official Gazette stating the grounds of its opinion, declare such publication to be forfeited to His Majesty. The first condition implies that the publication had been seen and read by the Local Government prior to its declaration of forfeiture, for it must form an opinion. Though there is no evidence as to this the Advocate-General assured us that a copy must have been in the Local Government's possession before the declaration. I will assume this to be so. The second condition is one which has given rise to considerable discussion. It has been urged that it is a necessary condition or an effective forfeiture that the grounds of the Local Government's opinion should be stated, and that this has not been done in the present case. On learning that it appears to the Government in any particular case that there are words of the nature described in Section 4 (1), the first question that occurs to anyone is whose duty is it to enquire why does it so appear? What are the grounds of its opinion? Those responsible for the Act foresaw this, and they specifically provided that the forfeiting notification should state the grounds of the Local Government. But when we turn to the notification no such grounds are stated. Nothing in the nature of a fact is set forth. There is merely a citation of those words of the Sections which are invoked. The notification seems to take this shape: "It appears to the Local Government that there are words likely to bring into hatred or contempt a class or section of his Majesty's subjects in British India, and the grounds of its opinion are that these words are likely to bring into hatred or contempt exterior classes of His Majesty's subjects in India." But the repetition, in our opinion, cannot be its grounds, and yet that is all that the notification furnishes in the shape of grounds.

AN IMPERATIVE OBLIGATION.

This is obviously insufficient and not in compliance with the terms of the Act. Moreover, I think that this direction in the section is mandatory, and that the legislature intended to impose and has imposed on the Local Government an imperative obligation to state the grounds of its opinion. The language of Section 4 may be composed. It requires that the notice forfeiting the copies of the publication should be in writing and state or describe the offending words, signs or visible representations. These provisions as to the statements to be contained in forfeiting documents were, I think, designedly wanted to be a check on the power of forfeiture vested in the Local Government, for it is easy to see that the obligation to state grounds furnishes a valuable safeguard. The statement of grounds may for another reason, too, be regarded as an essential part of the legislature's scheme, for it might help the High Court to perform the duties cast on it under Section 17, and, in fact we have in this case been considerably embarrassed as will appear later by the absence of grounds.

NOTIFICATION DEFECTIVE.

The notification, therefore, appears to me to be defective in a material particular, and but for Section 22 of the Act it would (in my opinion) be our duty to hold that there had been no legal forfeiture. That Section provides that every declaration, purporting to be made under the Act, shall as against all persons be conclusive evidence that the forfeiture therein referred to has taken place. The result is that though I hold the notification does not comply with the provisions of the Act, still we are (in my opinion) barred from questioning the legality of the forfeiture it purports to declare. This brings me to the question whether the pamphlet under discussion contains words of the nature discribed in Section 4, sub-Section (1).

A "WIDESPREAD NET."

The provisions of Section 4 are very comprehensive and its language is as wide as human ingenuity could make it. Indeed, it appears to me to embrace the whole range of varying degrees of assurance from intensity on the one side to the very limits of impossibility on the other. It is difficult to see to what lengths the operation of this Section might not be favourably extended by an ingenious mind. They would certainly extend to writings that may even command approval; and attacks on that degraded section of the people which lives on the misery and shame of others would come within this widespread net. The praise of a class might not be free from risk. Much that is regarded as standard literature might undoubtedly be caught. It is, however, argued that even so this pamphlet is outside both the spirit and the words of the section, and now I will notice the argument that has been addressed to us as to this.

APPEAL TO CHRISTIANITY.

The pamphlet, it is said, is an appeal to His Majesty's subjects, followers of the Christian faith, and it is an appeal to them as Christians to move the British Government to such individual or concerted action as will put a stop to outrages that shock all feelings of humanity if they in fact occurred. And so it is contended that this is an appeal to the people of a Christian nation just because they are a Christian nation, and thus would be the first to protect against the cruel disregard of the principles of its faith by some who profess to be its adherents, and against acts so abominable to have earned the scathing denunciation of the Christian monarch of one of the allied nations. Nor does the argument rest there. For it is brought to our notice that the pamphlet contains passages which show that Christianity as a creed is not attacked, notably that which states that it "was ever the symbol of humanity and mercy," and that it states that those who were fighting under the Cross betrayed it. It is true that it refers to the Crusades, but this has reference not to any Crusade proclaimed by Christianity but to the proclamation of the King of Bulgaria. On the other hand, there are passages which expressly state that Turkish excesses are not endorsed, which show that the Christians are not attacked as such, and narrate the protests made and help given by Christians other than the Balkans Allies engaged in the war.

ABSENCE OF RACIAL TIE.

There is no racial or political tie between the Balkan Allies and the Christian subjects of His Majesty in India which would make it possible that wrongs committed by the former should be considered imputable to the latter, nor is there really any crucial link because it is not suggested that the acts complained of were done in the name of and with the authority of Christianity but in the betrayal of it. It is argued the suppression of this pamphlet might tend in the Mussalman mind to band the Christians of this country with the authors of these wrongs, and make it appear that it was desired that these should not be made public lest they might throw discredit on Christian subjects in India. The pamphlet then, it is said, so far from bringing Englishmen or His Majesty's Christian subjects into hatred or contempt, is the highest compliment that could be paid to them.

PAMPHLET NOT SEDITIOUS.

This is the argument and it may be very forcible when addressed to those who can be swayed by it. The executive Government cannot be moved by such reflection. Our investigation is of a more prosaic order. The Advocate-General has admitted and, as I think, very properly that the pamphlet is not seditious and does not offend against any provision of the criminal law of India; but he has contended and rightly, in my opinion, that the provisions of the Press Act extend far beyond the criminal law, and he has argued that the burden of proof is cast on the applicant so that, however meritorious the pamphlet may be, still if the applicant cannot establish the negative, the Act requires his application must fail.

And what is this negative? It is not enough for the applicant to show that the words of the pamphlet are not likely to bring into hatred or contempt any class or section of His Majesty's subjects in British India, or that they have not a tendency, in fact, to bring about that result; but he must go further and show that it is impossible for them to have that tendency either directly or indirectly, and whether by way of inference, suggestion, allusion, metaphor or implication. Nor is that all. For we find that the legislature has added to this the all-embrancing phrase "or otherwise."

PENAL CODE AND PRESS ACT.

And here I may not inappropriately invite attention to Section 153A of the Penal Code, which has such affinity to the statutory provision governing this case that it may be regarded as its basis. That section was added to the Penal Code in 1898 and was directed against the promotion and attempts to promote a feeling of enmity or hatred between different classes. It will be noticed that the feeling here described is one of enmity or hatred. No provision is made for contempt but the more important divergence is that which the Penal Code laid down, that the enmity or hatred should be not only towards a class but by a class. There is no such limitation in the Press Act as to the source from which these hostile feelings should proceed. It aims against all hatred or contempt regardless of those for whom it is entertained. Nor is this the only direction in which there is a greater stringency in the Press Act. To section 153A there is appended an explanation which declares it not to be an offence to point out without malicious intention and with an honest view to thus remove matters which are producing or have a tendency to produce the feelings of enmity or hatred indicated in the section, and yet no such qualifying words are to be found in Section 4 of the Press Act and this is the more remarkable because the qualifying explanations of section 124A are introduced, though they relate to an even greater offence. It may be that this omission was an oversight, but whether that be so or not, the Government insist on the absence of this explanation though it leads to a curious results. I think the Government is entitled to stand on the letter of the law, though it deprives Mr. Mahomed Ali of an opportunity of relying on an explanation conceived in the spirit of that which forms part of section 153A of the Penal Code. Had the Press Act incorporated the explanation to section 143A as it has stood to Section 124A, Mr. Mahomed Ali might perhaps have made a very strong case, in view of the Advocate-General's admission as to the character of this pamphlet and the applicant's purpose and intentions.

The application, however, contends strenuously that the pamphlet does not come even within those all-embracing terms of the Act and that the legislature aimed at something wholly different. The incalculable powers of forfeiture visited in the executive are a sure sign that the Act was called into being by an urgent political necessity, and it is of sufficiently recent date to enable us all to remember that the mischief chiefly aimed at was the prevalence of political assassination and anarchical outrage. Comprehensive words were designedly used to catch crime and the incitement to crime posing in the guise of innocence. The Act was directed against crime and aimed at its prevention. I doubt whether publications with an authorship, a source and a purpose like those of the present pamphlet were thought of, and I recognise the force of the argument that the Act is now being applied to a purpose never intended. But be that so or not, if the Legislature has employed language wide enough to cover the pamphlet this lack of reserve affords no answer to the forfeiture now attacked. I have already dealt with one phase of the absence of grounds in the notification. This defect and the Government's failure to place before us any material beyond those furnished by the applicant have sensibly added to our difficulties in discharging the peculiar duties cast on us by the Act.

HATRED OR CONTEMPT?

The notification does not even specify the classes that might be brought into hatred or contempt or which of these two diverse sentiments is apprehended. And so when Mr. Norton rose to address this Court he had to seek this information from the Advocate-General. The first answer implied that it included Christians, Greeks and Englishmen, but as under the classes limited to those composed of His Majesty's subjects in India the Greeks were withdrawn and the first and the last retained. Still the answer in its original form is without any significance though it was afterwards modified. The pamphlet would doubtless bring into hatred the un-Christian Christians whose deeds of atrocity are described. The theory presented is that the reflection of this hatred might fall not indeed on the Government but on His Majesty's Christian or English subjects in British India. If this be the Government's view with all the information at its disposal, the Court no more than the man in the street cannot (in my opinion) affirm this could not be so and affirm it with a degree of assurance that would entitle it to set aside a measure of safety on which the Government had solemnly resolved.

The Advocate-General has convinced me that the Government's view of this piece of legislation is correct and that the High Court's power of intervention is the narrowest. Its power to pronounce on the legality of the forfeiture by reason of failure to observe the mandatory conditions of the Act is barred, the ability to pronounce on the wisdom of the executive order is withheld and its functions are limited to considering whether the applicant to it has discharged the almost hopeless task of establishing that his pamphlet does not contain words which fall within the all-comprehensive provision of the Act. I describe it as an almost hopeless task because the terms of Section 4 are so wide that it is scarcely conceivable that any publication would attract the notice of the Government in this connection to which some provision of that section might not directly or indirectly, whether by inference, suggestion, allusion, metaphor, implication or otherwise, apply."

CRITICISM OF EXECUTIVE ACTION.

I have said that the ability to pronounce on the wisdom or unwisdom of executive action has been withheld. There was good reason for this. Courts of law can only move on defined lines and act on information brought before them under limited conditions. It is not so with the executive authority. It would be paralysed if it had to observe the restrictions placed on the Courts. Its action can be prompted by information derived from a source not open to the Courts and based on considerations forbidden to them. It can be moved by impressions and personal experiences to which no expression can be given in a Court, but which may be a very potent incentive to executive action. The Government may be in possession of information which it would be impossible to disclose in a Court of law and yet, obviously requiring immediate action. Therefore, the jurisdiction to pronounce on the wisdom or unwisdom of executive action has been withheld and rightly withheld. It may be a question whether ever this semblance which this Act provides, should not have been withered as it was by Act IX of 1878.

REASONS OF STATE.

Political considerations, reasons of State, are the life blood of executive action, but they have no place in a Court of law. The fact is that the executive and judicial authorities stand on a wholly different plane for this purposes of arriving at a decision as to the propriety of executive action, and the one cannot sit in judgment on the determinations of the other. What then is the conclusion of the whole matter? Of the two alleged checks on executive action supposed to be furnished by the Act one, the intervention of the Courts is ineffectual, while the other for this very reason can be and in this case has been disregarded without impairing the practical effect of a forfeiture purported to be under the Act.

One word more and that is as to the motive of the present application. The applicant Mr. Mohamed Ali is by no means unknown in India. He is a journalist of position and repute. Though he is not an accused he tells us that he regards himself as under the stigma which he declares must attach to any journalist who has come under the operation of an Act directed primarily at any rate against a criminal movement marked by outrages which so shocked the public sentiment as to call for this drastic legislation. But even if he has not succeeded in proving the negative that fate and the law have thrown in his way at last. His application has not been wholly invain.

NOT LOST HIS CHARACTER.

The Advocate-General representing the Government has publicly announced that Mr. Mahomed Ali's forfeited pamphlet is not, in his opinion, a seditious libel and indeed that he attributes no criminal offence to Mr. Mahomed Ali. He was even willing to concede and believe he was acting in the highest interests of humanity and civilisation. I think the Advocate-General made no admission which it was not proper for him to make. Mr. Mahomed Ali then has lost his book but he has retained his character and he is free from the stigma that he apprehended and this doubtless will be some consolation to him when we dismiss, as we must, his present application. I think there should be no order as to costs.

Mr. Justice Stephen delivered a separate judgment, agreeing with the Chief Justice that this application should be dismissed without costs.

Mr. Justice Woodroffe simply agreed with the way at last.

CALCUTTA MOSLEMS AND ID.

SUBSCRIPTIONS FOR CAWNPORE ACCUSED.

(Associated Press.)

CALCUTTA, Sept. 2.

At a meeting attended by thousands of Mahomedans of Calcutta held on the 31st August, at Nakhoda-Masjid, the following resolutions were most enthusiastically adopted:—(1) That this meeting requests Muslims all over India not to observe the usual festivities of Id-ul-fitar as a religious duty in memory of those who have sacrificed their lives for the defence of the holy mosque at Cawnpore; (2) That this meeting requests all Musalmans of India to raise subscriptions on the occasion of the Id prayer at Idgahs and masjids for the help of widows, orphans and the accused and the same be forwarded to Mr. Mazharul Haq, Bar-at-law, Cawnpore; (3) That this meeting puts on record its highest appreciation of the eminent services and the personal sacrifice that Mr. Mazharulhaq is making for the national cause in defending our brethren who are under trial at Cawnpore.

ALLEGATIONS AGAINST TRYING MAGISTRATE.

A QUESTION OF PRIVILEGE.

(Associated Press.)

MADRAS, Sept. 2.

The question as to how far an accused is privileged in making defamatory statements concerning a Magistrate in a transfer application made by an accused, came up for consideration before the Full Bench of the Travancore High Court to-day.

The facts of the case were shortly these. The accused in a criminal case pending before Mr. P. Sesha Iyengar, Tahsildar and Magistrate, Shertally, applied to the District Magistrate for the transfer of the proceedings on the ground that the Magistrate was prejudiced against him, as he refused to pay a bribe which the Magistrate had asked him for in some other proceedings.

On the initiative of the Travancore Government, Mr. Sesha Iyenger, Magistrate, prosecuted the accused for defamation, but the Magistrate who tried him acquitted him on the ground that the allegations were made in the course of judicial proceedings, and so he was absolutely privileged.

The Government appealed against the said acquittal as the question raised was one of importance. The decision followed the view of the Calcutta and the Allahabad High Courts, holding that there was no absolute privilege for such statements, and that they were not protected unless they were brought under the one or another of the exceptions to Section 499 of the Indian Penal Code. The dissenting Judge followed the view taken by the Madras High Court and previous decisions of the Travancore High Court and held that such statements made in the course of judicial proceedings came within the doctrine of absolute privilege.

RAILWAY NEWS.

(From Our Correspondent.)

SIMLA, September 2.

Captain G. J. Watt-Smyth, R.E., and Mr. H. R. Walton, Executive Engineer, State Railways, are on return from leave posted to the Eastern Bengal and North-Western Railways.

CAWNPORE TRIAL.

L.-G. CITED FOR DEFENCE.

COURT REFUSES SUMMONS.

(From Our Correspondent.)

CAWNPORE, Sept. 2.

To-day's chief feature of the proceedings at the Cawnpore Volunteer Rifle Barracks was the application of Mr. Mazharul Haque leading counsel for the defence, for a court order to summon the Lieutenant-Governor of the United Provinces, Sir James Meston, to give evidence in the sessions trial on behalf of the 101 accused who have already been committed. In a lengthy statement in which he emphasised the point that he wished Sir Jame's attendance purely in the interest of its clients. Counsel argued that his Honour's evidence was absolutely necessary. The Magistrate refused to summon Sir James on the ground that he could not give any evidence other than that which could be given by thousands of other persons.

Public interest was not so strongly displayed when Mr. H. M. Smith, Additional Magistrate, took his seat. The sitting occupied about two hours.

Mr. Haque, handing in a list of witnesses, said: You will see, sir, that the first name on the list is that of Sir James Meston, the Lieutenant-Governor of these provinces. I may say here that if I could follow my own inclinations I would be the last man to put down the name of the Lieutenant-Governor, because I may state I had many personal kindnesses from him during the past three or four years, but I owe a duty to my clients and I will go further and say that I shall be not following the traditions of the English Bar if I did not ask your honour to summon him. It is not a step we are taking without careful consideration. We submitted a memorial to His Excellency the Governor-General in Council, and we put in a paragraph that we might have to summon the head of these Provinces as a witness. We put in another paraprph stating why his evidence was necessary.

SIR J. MESTON'S VISIT TO CAWNPORE.

It may be in the recollection of Your Honour that the riot took place on the 3rd. The first official from outside who inspected the place was Sir James Meston. Certain statements were made by local officials who had given evidence before the Court to Sir James Meston when he came here to have carefully gone through these statements, and we find there are certain discrepancies. His Honour the Lieutenant-Governor will be the best possible witness for the defence in this respect. I pointed out on my first day here that the scene of the occurrence has been so changed that we cannot possibly see it as it was. There were blood marks and marks of bullets. We should like to know in what state was the scene of the occurrence. Counsel proceeded to emphasise the fact that Sir James Meston was one of the first officials on the scene, and he saw the site of the riot as it actually was. If he could compare small things with great Sir James Meston was then filling a position something like an investigating officer. Concluding, counsel said he would leave the matter there at the discretion of the Magistrate.

The Magistrate:—I have been waiting to hear you say one word as to what the evidence of the Lieutenant-Governor could be relevant. The only mention of Sir James Meston was in the evidence of the civil surgeon who had made out a list of injuries received by the wounded for the Lieutenant-Governor.

Mr. Haque: There is definite evidence that he was here.

The Magistrate: At present I do not think that the Lieutenant-Governor is capable of giving relevant evidence at all. If your had cross-examined the case might have been different.

Mr. Haque: I have seen in the papers that Sir James Meston is to give evidence in London about finance matters and leaves on September 18 and we would like his evidence before that.

Mr. Haque further said that in his humble opinion Sir James Meston's presence was absolutely necessary.

THE ORDER.

The Magistrate made the following order on the matter:—

A list of defence witnesses has this day been put in by counsel for the defence. The first witness in the list is His Honour Sir James Meston. I have listened very carefully to the argument by which the learned counsel has sought to show that the Lieutenant-Governor can give evidence that is material. Two grounds have been mentioned. The first is that local officials had talks with the Leutenant-Governor shortly after the riot. As regards the facts of the riot any statement made in the course of these conversations would be inadmissable in evidence. As a matter of fact the prosecution witnesses have not been cross-examined. There is no evidence that any statements were made to His Honour. The second ground is that since the riot the physical appearance of the scene of the disturbance has been changed, that the Lieutenant-Governor saw the place soon after the riot before alterations had been made and that he would therefore be able to give the Court a picture of the mosque and its surroundings immediately after the riot. The defence in fact seek to put the head of the Province into the witness-box to prove a matter that can be proved by thousands. I do not think that the evidence of Sir James Meston is material and in the exercise of the discretion which section 216 of the Criminal Procedure Code allows me, I refuse to summon him as a witness.

The case against Abdul Sadir Azad Subhani was again called to-day at 11 a.m. before Mr. H. M. Smith, Additional District Magistrate, Cawnpore. Mr. Boys, Counsel for the Crown, stated that however strenuously one might work, it was not possible for the prosecution to declare if they were in a position to close their case within forty eight hours of its being started. He therefore asked for an adjournment.

The case was accordingly adjourned till Friday.

The case of the six injured accused will be taken up on Thursday next.

FLOODS IN MADRAS PRESIDENCY.

COLLAPSE OF HOUSES.

(Associated Press.)

MADRAS, Sept. 2.

The Aska correspondent of the "Madras Mail" writes:—There was heavy downpour of rain here on the 30th August and the rivers Mahanady and Rushikulya on either side of Aska were in high floods. There was six feet of water in the Aska sugar factory compound and the compound walls collapsed. All houses in Hoddi Street and several others collapsed towards evening and their inmates are now being sheltered in the school building and other available places. During the night the travellers Bungalow on the bank of the Mahanady where the divisional Officer resided, was under water and communication was cut of. Much anxiety was felt for him and his servants. The tahsildar and the stationary Magistrate arranged boats and elephent to avert danger. Rice and money doles are being given to the distressed by the Rajah of Dharakota and the proprietor of the Devabhumi.

KARACHI TRAGEDY CASE.

(Associated Press.)

KARACHI, Sept. 2.

The murder charge against Mr. Gardiner, of the Indo-European Telegraphs, was proceeded with in the City Magistrate's Court yesterday.

Mr. Hughes and the head clerk of the Superintendent of Telegraphic Office and also Dr. Kaikhosru were examined to prove the handwriting of the accused, in whose house the police have seized certain documents which will be produced as evidence.

FLOODS IN PUNJAB.

(Associated Press.)

LAHORE, Sept. 2.

Owing to flood water is still rising and transhipment over the bridges on the North-Western Railway Line, to Quetta is impossible. All booking of goods and passengers have been stopped till further notice.

A DANGEROUS PATHAN.

SENTENCE OF 91 MONTHS.

At the Esplanade Police Court, yesterday, Mr. Frank Oliviera, Third Presidency Magistrate, disposed of a case in which Deputy-Inspector Dyer charged Jamalkhan Afzulkhan, a Pathan, with robbery of Rs. 100 belonging to Mowbin Marsidin, also a Pathan, and with stabbing the complainant and another Pathan named Abdulla Khairulla.

Mr. J. B. Kapadia, pleader, defended the accused; Inspector O'Brien prosecuted.

The prosecution case was that on the 2nd August last, the complainant was returning home from Grant Road with ten ten-rupee currency notes in his pocket. While he was in the first Kamatipura lane, the accused cut his pocket and was making away with the notes, when he was seized by the complainant, who on noticing this, had chased him. The accused, thereupon, inflicted knife wounds on both the hands of the complainant and thus freed himself and began to run. Abdulla, who was passing along the road, noticed this and he attempted to stop the accused, when the latter stabbed him in the stomach. A police sepoy went to the rescue but the accused threatened to stab him and ran towards Duncan Road. He was followed by the police sepoy and after a long chase through winding lanes, he was arrested near Mastan Tank. The accused had, however, succeeded in passing over the money to another person but the knife was recovered.

The accused denied the charge and said he was first assaulted by the complainant and he inflicted the wounds in self-defence.

His Worship disbelieved the accused's story and convicted him.

As the accused had a previous conviction of one year, he was sentenced to undergo fifteen months' rigorous imprisonment on the charge of robbery and further six months' imprisonment on the charge of stabbing.

BOMBAY IMPROVEMENT TRUST.

A meeting of the Trustees for the Improvement of the City of Bombay was held yesterday afternoon, the Chairman Mr. J. P. Orr presiding.

Business of a formal nature was transacted and the meeting adjourned.

HIGH COURT.

CRIMINAL SESSIONS.

THE DELISLE ROAD MURDER.

JUDGE DISAGREES WITH JURY.

RETRIAL ORDERED.

(Before Mr. Justice Davar and a special Jury).

EMPEROR v. RAI BHAICHAND.

The Special Jury which was empanelled for the trial of this case consisted of the following gentlemen:—Mr. E. S. Sassoon (Foreman); Mr. H. A. Desai; Mr. W. T. Tothhill, Mr. B. D. Benjamin; Mr. R. B. Kama; Mr. R. M. Shanker; Mr. W. Stevens; Mr. R. S. Gaddum.

Rai Bhaichand, the accused, was committed to the Sessions by Mr. Setalwad, Second Presidency Magistrate, on 13th August 1913, for the murder of Shivibai and was put up for trial on charge of murder committed on 31st March under Sec. 302 of the Indian Penal Code, before Davar J. and a Special Jury.

The Hon. the Advocate General and Mr. H. N. Patel appeared for the prosecution. Mr. A. H. Chitre appeared for the defence.

In opening his case on behalf of the prosecution the Advocate General said that the facts in this case were very simple.

The accused and Lakhoo Khoda, the husband of the deceased Shivibai were living in rooms, (separate but adjoining) on the ground-floor of a chawl situate at DeLisle Road. The accused was a relation of Lakhoo Khoda. Lakhoo Khoda is an employee of the B. B. & C. I. Ry., workshop at Parel. The accused used to work at the factory of Messers. Godrej and Boyce, situated at Parel. On the morning of the 31st of March, 1913, Lakhoo Khoda as usual, left his place to go to his workshop at Parel. When he returned home that night be found his wife Shivibai dead.

HEAD BATTERED WITH SLEDGE HAMMER.

What happened was that the accused did not go to his work on the morning of 31st March. In the afternoon, while Shivibai the deceased was engaged in cleaning rice in her own room, the accused approached her and gave her a blow with a sledge hammer; and the blow was so severe and so forcible that the deceased Shivibai fell down with her head almost battered. Not content with that the accused gave her four more blows and ran away towards the side where the privy was situated. There being only women in the rooms none tried to capture the accused who was running away. At night while Lakhoo Khoda returned from his work and found his wife dead, he at once informed the Police who made a search for the accused. The search was fuitless. Next morning the sledge-hammer with which the accused had given blows to the deceased Shivibai, was found in a pool of water near the privy. Ultimately the accused was arrested somewhere in the territory of His Highness the Gaekwar of Baroda in the month of April. No motive was assigned for the deed and the Advocate-General said that it was not the duty of the prosecution to prove any motive.

PROSECUTION WITNESSES.

Evidence was then called on behalf of the prosecution. There were in all 11 witnesses examined for the prosecution. The first three witnesses, viz., (1) Santokbai; (2) Mainabai; (3) and Kashibai deposed to having seen the accused giving blows with a hammer to the deceased Shivibai. Dr. Powell gave evidence as to the examination of the dead body of Shivibai, and of his having found the skull fractured. He said that that was due to heavy blows. The other witnesses were more or less formal.

The Advocate-General then closed his case.

No evidence was tendered on behalf of the accused when asked to make his statement by His Lordship. The accused made the following statement.

ACCUSED'S STATEMENT.

The deceased was the wife of my cousin. She was in the habit of misconducting herself with some of the black smiths. I remonstrated with her for that. She got angry and seising a small hammer came to strike me with it; I seized the hammer with my hand. I gave her a push and she fell against the wall, while I was crossing the railway lines I was knocked down by a railway engine; my leg was injured and I was removed to a hospital. The witnesses have a grudge against me. That is all.

The Advocate-General in his address to the jury on behalf of the prosecution said that the facts were very simple. The three women who gave evidence deposed to their having seen the accused giving blows with a hammer to the deceased. They had not been challanged by the defence as to that or as to their want of previous knowledge as to any quarrels between the accused and the deceased. In fact these women had no knowledge whatsoever about quarrels between the accused and the deceased. The accused must therefore be found guilty of murder.

(Continued on page 9.)

HIGH COURT.

CRIMINAL SESSIONS.

(*Continued from page 8.*)

HT OF PRIVATE DEFENCE.

Chitre for the defence submitt[ed] t the statement of the accused them that the deceased Shivi[bai] assaulted him. He therefore lows to the deceased in self-de[fence]. No doubt in doing so, the ac[cused] exceeded his right of private defence. Witnesses had told them that both of them were sitting side by side cleaning rice. There was no premeditation. When the accused taxed the deceased with misconducting herself with others, she got angry and threw a hammer at him. There was grave provocation. If the jury believed there was grave provocation, then they must bring his case within exception 1, to Sec. 300. If they did not believe it, then he would ask them to bring the case within exception (2) of Sec. 300 of the Indian Penal Code. That exception deals with the right of private defence. If the accused gave her blows in exercise of the right of private defence, then the jury should return a verdict of culpable homicide not amounting to murder. At the most what the accused did was to exceed his right of private defence. He urged the jury to return a verdict of culpable homicide not amounting to murder.

JUDGE'S SUMMING UP.

His Lordship in his charge to the jury said that the evidence before them was not complicated by details. In considering their verdict they must know that they were not concerned with any motive which actuated the crime. The fact proved was that Shivibai was killed on that day in a manner distinguished by cruelty. There was no reason why the three women witnesses should not have given true evidence. They were eye-witnesses and three was no contradiction. The evidence was perfectly consistent with what was stated by the accused. There was no evidence to prove the aspersions thrown on the character of Shivibai. oCunsel for the defence did not ask Shivibai's husband in cross-examination as to his wife's misconduct. Was it possible for Shivibai throw a hammer at the accused. If the statement of the accused was true, why did he run away. He did not return and was absent from duty from 31st March and did not turn up at Messrs Godrej and Boyce's factory. It was for the jury to believe or not believe his statement. The matter did not lie within any of the exceptions to Sec 300 of the I. P. C.

DIVIDED VERDICT.

The jury then retired to consider their verdict. On their return the Foreman intimated that they were not unanimous. His Lordship asked them how they were divided. The Foreman said that they were divided as 6 to 3.

His Lordship asked the Foreman whether in a case of this kind it was not possible for them to be unanimous.

The Foreman submitted that they were all firm in their opinion. The Foreman said that six (6) were in favour of bringing in a verdict of culpable homicide not amounting to murder, while the other three (3) brought in a verdict of murder.

Mr. Chitre submitted that in view of the statement of the accused and the jury's believing his statement and the other facts of the case, His Lordship should agree with the verdict of the majority and find the acused guilty of culpable homicide not amounting to murder.

JUDGE AND JURY DIFFER.

His Lordship said that without making any statement he would only say that the verdict of the jury was a verdict with which he could not agree.

His Lordship's order was that as he disagreed with the verdict of the majority of the jury, he discharged the jury and ordered the retrial of the accused.

MISAPPROPRIATION CHARGE.

EUROPEAN SENT TO JAIL.

At the Esplanade Police Court, yesterday, Mr. A. H. S. Aston, Chief Presidency Magistrate, disposed of a case in which Inspector Smith charged George Conway, a European, with criminal breach of trust in respect of Rs. 150, which sum was entrusted to him by Messrs. Theal and Company to pay coolies who were working for the firm at Asangaon.

Mr. Khurshed F. Nariman, Pleader, appeared for the complaint; the accused was defended by Mr. M. B. Kolaskar, Bar-at-law.

The facts of this case have already been reported.

His Worship convicted the accused in respect of items aggregating to Rs. 100 and as the accused had four previous convictions against him, he was sentenced to nine months' rigorous imprisonment.

DACOIT HEAVILY SENTENCED.

(ASSOCIATED PRESS.)

CALCUTTA, Sept. 2.

The Additional Sessions Judge of Barisal, yesterday, disposed of the Baraikaran dacoity case in which about Rs. 12,000 were looted from the house of Ananda Chunder Roy. Of the six Mahomedan accused one turned approver and the rest were sentenced to eight years' rigorous imprisonment each.

BROTHER-IN-LAW MURDERED.

CHILLIES THROWN IN THE EYES AND STABBED.

(*Before Mr. Justice Davar.*)

EMPEROR *v.* GOORA LABOORAM AND CHANGA GOPAL.

The first accused Goora Laborram was charged under Section 302 of the Indian Penal Code with committing the murder of one Shersing Jeysing on 20th July last. There was also a further charge against him under Section 324 of the Penal Code of having caused simple hurt to one Milkiram Maneckchand by means of a knife on the same day.

The second accused Changa Gopal was charged under Section 114 of the Penal Code with aiding the first accused in causing hurt to Milkiram and was also charged under Section 324 with causing hurt to Milkiram by means of a stick.

The Advocate-General and Mr. Pradhan appeared for the prosecution.

Mr. H. S. Captain appeared for the accused.

The Advocate-General in opening the case for the prosecution shortly stated the material facts.

The deceased Shersing, a soda-water seller, had two shops one at Pydhowne and another at Parel and he lived with Tarabai, his wife, on the third floor of a house in Banian Street. The first accused was the deceased's brother-in-law and assisted the deceased in his work. The second accused was in the employ of the deceased. There was some ill-feeling between the deceased and the first accused. Milkiram Manekchand lived with Parvatibai, his wife, in the same house as the deceased on the 2nd floor. On the morning of 28th July after the deceased had left for his Pydhowni shop, the 1st accused came to the room of the deceased at about 8 a.m. Tarabai, the wife of the deceased, Parvatibai, Milkeram's wife, and Dhondia, a servant, were present. Tarabai, who had been warned by the deceased to call him in case the first accused came, sent for the deceased who arrived in a short time. The deceased had an altercation with the first accused, whereupon the first accused left. He however returned after a short time, when the deceased was asleep. Tarabai woke up the deceased, who followed the first accused to the second floor. There the first accused threw chilly powder into the eyes of the deceased, attacked him with a knife and stabled him in many places. Milkiram came up and tried to hold the first accused. The second accused, thereupon, came on the scene. He freed the first accused from Milkiram's hands. The first accused then stabbed Milkiram and ran away. After this there was a struggle between the second accused and Milkiram in the course of which the second accused beat Milkiram with a stick and with his fists. The accused were subsequently arrested by the Police. Shersing who was stabbed in 9 places was taken to the hospital where he died of hemorrhage from the left lung. The injuries to Milkiram were much less in comparison, though he too had three stabs.

The witnesses for the prosecution were being examined when the Court rose.

INSOLVENT'S MORTGAGE OF PROPERTY.

R. D. SETNA *v.* LADU BABAJI.

The plaintiff in his suit was the Official Assignee of the estate and effects of an insolvent Purshotam Babaji. The insolvent had a share in an immoveable property at Carpenter Street. By a release dated the 17th June 1912 the insolvent had given up his share in the property to his brother, the defendant the Official Assignee pleaded that the release was void under the Insolvency Act.

Mr. Kanga appeared for the plaintiff.

Mr. Desai appeared for the defendant.

Mr. Desai said that his client had filed a written statement. The insolvent owed his client Rs. 2,000 and the insolvent had admitted this debt as early as 1900 and had agreed to give the defendant a mortgage of the property. There was also the defence that the insolvent was not in insolvent circumstances at the date of the release. Under the circumstances, he applied for a transfer of the suit to the long cause list.

His Lordship ordered the suit to be transferred to the long cause list costs were to be costs in the cause.

Attorneys for the plaintiff: Patell and Ezekiel.

Attorneys for the defendant: Jehangir, Gulabbhai and Billimoria.

COMPROMISE ARRIVED AT.

(*Before Mr. Justice Beaman.*)

HARNANDRAI FULCHAND V. CHHAGURAM AND SONS.

This suit after proceeding for some days before his Lordship was yesterday compromised.

The defendants paid Rs. 7,000 to the plaintiffs, who agreed to withdraw the suit filed by them against the defendants at Jullunder and also the suit in the Small Causes Court. His Lordship thereupon dismissed the suit, each party bearing his own costs. Counter claim dismissed.

Solicitors for the Plaintiffs:—Messrs. Malvi, Hiralal, Modi and Ranchoddass:

Solicitors for the defendants: Messrs. Payne and Co.

APPELLATE SIDE.

RIGHT TO REDEEM SHARES.

(*Before the Chief Justice and Mr. Justice Batchelor.*)

THE FIRM OF TULLOCKCHAND HOOKAMCHAND V. THE FIRM OF HARMANBUX RAMCOOVER.

Appeal from the decision of Mr. Justice Macleod:—The plaintiffs (appellants), who were a firm of Marwari merchants, bankers and commission agents doing business in Bombay, sued the defendants, also Marwaris, to recover Rs. 18,039-11-6 with interest from 26th October 1908 and Rs. 1,865-13-0 with interest from 14th November, 1909.

The plaintiffs and defendants had dealings up to the Diwali of 1908; thereafter the defendants' account in the plaintiffs' books was made up but was not signed by the defendant until long time after the Diwali. A sum of Rs. 23,039-11-6 was found due by the defendant, including a sum of Rs. 5,000, paid on the defendants' account under the following circumstances. The defendant had in 1908 allotted to him 250 shares in the Indore Malwa United Mills Company, Limited, and in respect of the first call of Rs. 5,000 he gave the plaintiffs two hundis for Rs. 2,500 to be credited to his account, and the plaintiffs paid Rs. 5,000 to Currimbhai Ebrahim and Co., the Agents of the Mill. The defendant, in order to meet a further call, applied to the plaintiffs for a loan of Rs. 20,600, as, unless he paid up the call, he was in danger of losing the Rs. 5,000 already paid. The defendant alleged that he was compelled to sign his account in the plaintiffs' books as a condition precedent to his getting the loan and he claimed to re-open the account on the ground that the plaintiff was in a position to dominate his will when he signed it. His Lordship, however, found on the evidence that the defendant was bound by the adjustment of the account, and that there were no other circumstances in the case which would lead His Lordship to believe that the defendant was coerced, the mere fact that he (the defendant) had signed the account on being told that he could not get the advance of Rs. 20,000 unless he did so sign not amounting to undue influence. (9 Bom. L. R. 304).

RETRANSFER OF SHARES.

There was a document of 29th March signed by the defendant admitting that he had received Rs. 25,000 for the 250 shares in return for which the defendant had transferred the shares to the plaintiffs. This not being intended to be a final arrangement, another deed was drawn up on 29th March, 1909, which also recites defendant's indebtedness and the assignment of the shares to the plaintiff and an option to the defendant to repurchase the 250 shares before 24th May 1910.

The defendant suggested that before the due date he went to the plaintiffs' "pedi" and offered to pay Rs. 20,000 in order to redeem the shares, but His Lordship was inclined to believe that it was not true, and that the transaction of 29th March was not in effect an out-and-out sale but a mortgage. The test was whether the relations of debtor and creditor still continued after the transaction had been effected.

It was contended that the right to redeem provided for in the Transfer of Property Act did not apply to shares in a Company but only to immoveable property. But His Lordship held that the provisions of that Act could be applied to a mortgage of shares in a Company which is possessed of immoveable property. The defendant was, therefore, entitled to his counterclaim to redeem the shares.

The plaintiffs appealed.

Mr. K. B. Dastur, Mr. Jardine and Mr. Davar appeared for the appellants.

Mr. Jaykar and Mr. Desai appeared for the respondents.

After hearing the arguments, Their Lordships dismissed the appeal as well as the cross objections with costs.

Solicitors for the appellants: Messrs. Jehangir, Mehta and Somji.

Solicitors for the respondents: Messrs. Motichand and Devidass.

CHAUFFEUR WITHOUT LICENSE.

(*Before Justices Heaton and Shah.*)

KING-EMPEROR *v.* LAWRENCE. RODRIGUES.

In this case, one Lawrence Rodrigues, a chauffeur in the service of the Wai Motor-Car Co. was charged and convicted under clauses D and P of section 10 of Act II of 1904. It was alleged that the applicant was guilty of having run his motor car No. 48 of the Wai Motor-Car Company without a license on the Wai-Watter road and of having so run it with insufficient lights on the Shirgadi Ghat Road in spite of the prohibition that motor-cars were not allowed to run by that road at night. The applicant's defence in the Lower Court was that the road by which his motor car was running was not included in the jurisdiction limits of the trying Magistrate. The learned Frst Class Magistrate of Kongaon who tried the case, however, found that a part of this road was within his jurisdiction and that he could therefore try the case. The accused was therefore convicted under section 10 clauses and P. and was sentenced to pay a fine of 50 rupees on each of the two charges.

Their Lordships after hearing Mr. A. V. Deb for the petitioner refused to interfere and rejected the petition for revision.

THROWN OVER A BRIDGE.

DEATH SENTENCE CONFIRMED.

(*Before Justices Heaton and Shah.*)

EMPEROR *v.* SAGA ALIAS SAKHA RAKHMAJI NAHVI.

The accused was charged with having committed the murder of one Jijabai by having thrown her into the Thana creek from the Kalva Bridge thereby having caused her death, an offence punishable under Section 302, Indian Penal Code; also with the offence of attempting to murder her son by trying to throw him into the said creek, an offence punishable under Section 307, Indian Penal Code. Both the offences were committed at about 4 a.m. on 27th June, 1913. Mr. J. D. Dikshit, Sessions Judge of Thana, agreeing with an unanimous verdict of the jury, convicted the accused of murdering Jijabai, and of attempting to murder Nama, and sentenced him to death.

The facts of this case are these:—

Three bullocks which were pledged by one Hassainmiya to a Savkar, had by an arrangement come into the possession of the deceased Jijabai and her son Nama who was plying a cart for hire in Bombay. In order to pay off Hassainmiya's creditor a debt, Rs. 100 was borrowed by the deceased, Nama and the accused with the witness Rambhan as surety. Since the bullocks were taken they were in the possession of Nama. Nama hired a cart, yoked the bullocks to it and plied for hire. He received the fare, spent money out of it for the payment of the hire of the cart and fed the bullocks and maintained himself out of the earnings and paid the creditor Polan the surplus profit towards the satisfaction of the debt of Rs. 100 borrowed from him to purchase the bullocks.

BULLOCKS CONCEALED.

It was also admitted that one of the three bullocks was sold and Rs. 40 were paid to the creditor. Nama was in possession and enjoyment of the said bullocks and the earnings received from them till his mother was sued with Small Causes Court at Bombay by another creditor. It was to conceal the bullocks from that creditor that they were removed from Nama's possession and kept in the custody of the accused. The creditor's account book shewed that Nama had made payment to the creditor out of his earnings up to 24th of June 1913. Nama had said that two or three days after the decree was passed in the Small Causes Court that the bullocks were kept with the accused, while the accused said that they were kept with him for about three weeks before he sent them away with his brother. They were sent on the June 26th. After the accused sent the two bullocks with his brother, Jijabai and Nama were said to have gone to the creditor Polan, to whom they were pledged and complained to him about the removal. The accused was also present there. The accused said that the creditor threatened him with legal proceedings and they all three (accused, Nama and the deceased) decided to go by the Railway train to Thana and detain the bullocks that had proceeded by road and bring them back. They all came to Thana at about 9 p.m. and went to the Kalva toll-bar and inquired whether bullocks of a particular description had crossed the toll-bar and were told that they had not passed and were not likely to pass before that time but may be expected the next morning.

REST IN DHARAMSHALA.

They, then, enquired if they could get a resting place for the night and were told to go to the Kalva Dharamshala on the other side of the bridge. All went as far as the Dharamshala and all the three rested in the Dharamshala for the night. About four o'clock in the morning the accused awoke the deceased and Nama and asked them to go with him to the "Naka" to see if the bullocks had arrived. While in the middle of the bridge the accused lifted Jijabai and threw her in the flooded creek and attempted to throw Nama also but he held fast the accused's waist and prevented him from accomplishing his object and then escaped and ran away to the "naka."

The motive alleged by the prosecution for the alleged offence was that taking advantage of the bullocks having come into his possession he fraudulently sent them away with his brother but when threatened by the Savkar with legal proceedings he agreed to bring them back and went with the deceased and Nama on that pretext to Thana, but seeing that the night was dark and it was raining heavily and the creek was flooded he entertained the evil idea of disposing of Nama and his mother and thus accomplishing his object of appropriating the bullocks.

THE DEFENCE.

The accused's defence was that the deceased Jijabai was his brother Dhondiba's mistresses for about seven or eight years. He had purchased the bullocks and allowed them to remain with Jijabai, and allowed her to take the profit as Jijabai was the mistress of his deceased brother. He had gone to Thana to bring back the bullocks. Jijabai and Nama had also accompanied him. They reached Thana after 8 p.m. and went to the "Naka," at the bridge and asked the "Nakedar" about the bullocks. He said that the bullocks might not have come and were likely to come in the morning. So they asked where they could lie down. The "Nakedar" said "Go to Dharamshala beyond the bridge." Then Jijabai and Nama told him to go further in search of the bullocks and they remained at the Dharamshala. There was rain falling then and it was dark, so he went forward and slept somewhere beyond the village at the distance of about one "Kos" from it. He got up in the morning and came back to "Naka."

Their Lordships after hearing Counsel for the defence confirmed the conviction and sentence.

Mr. S. N. Athavle with Mr. Mandavle appeared for the accused.

The Government pleader represented the Crown.

ORIGINAL APPELLATE COURT.

CHEMISTS AT LAW.

PARTNERSHIP DISPUTE.

(*Before the Chief Justice and Mr. Justice Bachelor.*)

MANEKLAL DHARAMSEY AND OTHERS *v.* KARSONDAS HURJEE AND OTHERS.

This is an appeal from the judgment and decree of Beaman J.

The appellants-plaintiffs Maneklal Dharamsey and others are the sons of Dharamsey Mulji, a deceased partner in the firm of Hurji Mulji and Co. They sued for a declaration in the Original Court that the partnership was not dissolved and that they have been unjustifiably excluded from their due share of the profits. The defendants-respondents 1—5 are the three sons of Hurji Mulji, the original founder of the firm who died in 1889. In 1896 the then partners in the firm made a new agreement of partnership in Gujarati according to which the said firm has since been carried on. Dharamsey Mulji, the brother of Harji Mulji and the father of the plaintiffs, died in 1910, and according to the plaintiff's case, his estate was admitted to be a partner in the said business with his share of four annas in a rupee. From that time forward the partners in the said business with their respective shares were (1) Hurji Mulji's estate, five annas, (2) Dharamsey Mulji's estate, four annas, (3) the fourth defendant three and a half annas, (4) the sixth defendant three annas and (5) Dharmada one anna. The assets of the firm were very valuable and included the goodwill of the firm and the sole agencies of such patent medicines as "Fellow's Syrup," "Pain Killer," "Pamala," and others. The plaintiff's contention was that owing to there being such valuable assets and agencies in the hands of the firm defendants 4 and 5 were trying to deprive them (plaintiffs) of their shares; and for this purpose they (defendants) falsely alleged that the estate of Dharamsey Mulji was not admitted a partner in the said firm and that his share came to an end on his death.

DEFENDANTS' CONTENTIONS.

The contentions of the defendants on the other hand were that upon a true construction of the partnership deed of 1890, they (defendants) were entitled to terminate the interests of all other partners the time being in the firm and without the need of dissolving the partnership in any other way. The firm is doing business as chemists and druggists. Defendant No. 6, Chhaganlal Raghunath, who was also a partner made common cause with the plaintiffs.

Beaman J. before whom the original suit was heard, held that the intention of those who drew up the agreement of 1896 was expressed clearly enough in clauses 1, 4 and 7 of that agreement, and therefore defendants 1 to 5 had a perfect right to dismiss in accordance with the terms of the agreement any or all the partners in the business. Accordingly defendants 1 to 5 gave the plaintiffs a notice terminating their partnership. They had every right to do so. His Lordship therefore passed a decree referring the suit to the Commissioner for taking accounts on the basis of the foregoing judgment and in conformity with the terms of the agreement of 1896.

From this judgment and decree the present appeal was preferred by the plaintiffs on the principal ground that the Lower Court was in error in holding that defendants 1 to 3 representing the said deceased Hurji Mulji had an absolute right to take and dismiss any or all partners in the business of the said firm.

Mr. Bahadurji and the Hon. Mr. Strangman appeared for the appellants.

The Hon. Mr. Setalwad and Mr. Jafferbhai appeared for the respondents 1 to 5.

Mr. Bahadurji and Mr. Talyarkhan appeared for the 6th respondent—defendant.

After hearing the arguments of Mr. Bahadurji for the appellants—plaintiffs, Their Lordships affirmed the decree of the Lower Court and dismissed the appeal with costs.

Solicitors for appellants:—Mehta and Dalpatram.

Solicitors for respondents 1 to 5:—Hiralal and Co.

Solicitors for the 6th respondent:—Smetham Byrne and Co.

KABULI LAWLESSNESS IN CALCUTTA.

(ASSOCIATED PRESS.)

CALCUTTA, Sept. 2.

Kabuli lawlessness is again on the increase in Calcutta. Yesterday a serious disturbance took place between a Kabuli moneylender and a betel-seller culminating in the former assaulting and fracturing the head of a policeman. The accused had attempted to realise some money which he had lent to the betel-seller who pleaded his inability to meet the claim just then. This led to an altercation when the policeman interfered telling the Pathan to go away. The latter thereupon turned round and assaulted the policeman. The Pathan was arrested.

PLEADER'S APPEAL DISMISSED.

SUSPICION OF FRAUDULENT ALTERATIONS.

(*Before the Chief Justice and Mr. Justice Batchelor.*)

YAKOOB IBRAHIM SAYANI *v.* ABDUL LATIF HAJI SUMAR.

In the course of the judgment their Lordships said:—

This suit was brought by the plaintiff to recover from the defendant the sum of Rs. 3046-5-1 and interest as moneys due as compensation for fraudulent concealment in obtaining a loan of Rs. 2,000 for Abdul Rehman from the plaintiff or in the alternative as compensation for loss suffered through the negligence and breach of duty on the part of the defendant while acting as legal adviser to the plaintiff in effecting a mortgage by Abdul Rehman to the plaintiff.

The undisputed facts are that the plaintiff and Abdul Rehman Kamrudin were in 1908 clients of Kanga and Patel, solicitors, and frequently attended the solicitors' office. The defendant had been the articled clerk of Kanga and Patel and after finishing his articles worked in the office from time to time for clients unofficially as a managing clerk. He had known the plaintiff for several years and was the next door neighbour of Abdul Rehman. On the 22nd December 1908 he attested a mortgage for Rs. 2,000 executed by Abdul Rehman to the plaintiff and identified the mortgagor before the Registrar signing the registrar's endorsement in which he was described as Articled clerk to Messrs. Kanga and Patel on the 23rd of December, 1908. The defendant deposes that he had nothing to do with the mortgage except that he attested it in the sub-registrar's office at the request of the plaintiff and Abdul Rehman.

PLAINTIFF'S VERSION.

The plaintiff on the other hand deposes that in December 1908 in Patel's office the defendant said to him he had entrusted a suit of Abdul Rehman Kamrudin to Mr. Kanga and correspondence was going on about it and that Rs. 2,500 were required for costs. The defendant said that he had two properties at Nishanpada in which his share was a little less than a third and that the properties were worth Rs. 35,000 to Rs. 40,000. The plaintiff asked whether there was a good title and the defendant said there was. The plaintiff said he would only advance Rs. 2,000 as the property was the subject of litigation and the defendant agreed to take that sum. The defendant then prepared the mortgage-deed and brought it to the plaintiff saying the money was wanted soon.

In March 1910 Abdul Rehman died, the defendant then recommended the plaintiff to get joined as a party in a suit No. 111, of 1909 brought by Abdul Rehman against his uncle in relation to the properties in mortgage. Eventually the plaintiff went to Mr. Patel, who after receiving explanation from the defendant sent a letter to Crawford Brown and Co., who represented the defendants in the suit on the footing that the plaintiff had a good claim against the defendants for the mortgage money. On the 8th day of April Crawford Brown and Co., replied disclosing the fact that the interest of Abdul Rehman was so heavily charged under previous mortgages and charges and for the costs of the suit that it was doubtful if there would be any balance to pay off the plaintiff's mortgages. The plaintiff thereafter changed attorneys and proved his claim before the Commissioner in suit No. 111 of 1909; but when the properties were sold in that suit it was found that there would be nothing left for the plaintiff. The defendant's story in regard to the mortage is false, and that of the plaintiff, who is confirmed by his cash-book and by the absence of reference to him in the Registrar's endorsements, is true.

KNOWLEDGE OF INCUMBRANCES.

Next as to the knowledge of the defendant as to incumbrances prior to the date of the mortgage. Here we have his initials in the despatch book of Kanga and Patel acknowledging receipt of a copy letter of the 10th of September 1908 in re Abdul Rehman. The letter itself is proved by Mr. Kanga. Mr. Patel says that at that time Abdul Rehman's business was attended to by the defendant. The letter is important (Reads letter)

The defendant in communicating the contents of this letter to Abdul Rehman must have then become aware if he did not, as is probable, already know that the interest of Abdul Rehman was heavily incumbered and that in the event of litigation very little would be saved.

Assuming that with this knowledge he was acting solely for Abdul Rehman in the negotiation for the mortgage and obtained the loan by representing the title to be good, he would be liable to the plaintiff equally with his principal for result of the false representation. See Arnst v. Briscoe. 1 Ves. Sen. 94 and Clark v. Hoskins. 36 L. V. ch. 689. In common with the learned trial Judge we have no hesitation in accepting the evidence of the plaintiff in preference to that of the defendant. The plaintiff's story is the more probable. It is extremely unlikely that the plaintiff would have advanced his money without some such assurance, as he says he got and the letters of the 30th of November 1909 and the 4th April 1910, drafted by or on the information of the defendant, after the suit No. 111 of 1909, had been instituted are quite consistent with the plaintiff's case that he believed the property to be unincumbered.

The wrong done to a third party while acting on behalf of a principal is not the only ground upon which the defendant's liability may be established. The lower Court has held that the false representation was also made fraudulently in his own interest by the defendant, because Abdul Kadir, the cousin of Abdul Rehman, has proved that the mortgage negotiated by the defendant was obtained to enable Abdul Rehman to pay off money he owed to the defendant. We see no reason to disagree with the learned judge in his conclusion on this part of the case.

DEFENDANT'S PROFESSIONAL DUTY.

The plaintiff's claim was also based on the existence of a professional duty lying on the defendant to investigate the title before advising the plaintiff to advance his money on mortgage. The defendant assumed the position and duty of a solicitor for both parties in the prepartion of the mortgage, looking to the mortgagor for his out-of-pocket expenses and taking his Commission as customary from the borrower for whom he negotiated the loan. It may be doubtful whether in such circumstances he was under any obligation to investigate the title for the mortgagee without instructions on that behalf. But he was at all events in the fiduciary position of a legal adviser (see *Hobday vs. Peters*, 28 Beav. 349 and *Harivallabhdas vs. Bhai Jivanji*, 26 Bom. 689, which would impose upon him the duty to disclose to both his clients anything in his knowledge affecting their interest in the transaction.

On all or any of the above grounds the decree for the plaintiff must be affirmed with costs. It remains to notice the suggestions made during the hearing both in the lower Court and in appeal of fraudulent pencil endorsement on the mortgage-deed to support the case of the defendant, that the deed was in fact prepared by a clerk in the office of Tyabji and Co., and not by the defendant. These pencillings do seem inconsistent with any case but that of the defendant, which we find to be a false case. They have aroused great suspicions in our minds as also in the mind of the trial judge, but we have not sufficient certainty in the matter to induce us to send the defendant for trial on a criminal charge.

Solicitors for appellant: Messrs. Dubash and Co.

Solicitors for respondent: Messrs. Tyabji Dabyabhai and Co.

SHORT CAUSES.

COTTON WASTE CONTRACT SEQUEL.

(*Before Mr. Justice Macleod.*)

COLABA LAND AND MILL CO., V. DHARAMSI JETHABHAI THAKAR AND ANR.

The defendants are the Receivers of the Estate of one Hirji Assoo, deceased. The deceased had in his lifetime entered into a contract with the plaintiff company to purchase cotton waste. The deceased died without completing the contract and the plaintiff company now sued the Receivers to recover the damages they had suffered by the breach of the contract.

Mr. Jardine appeared for the plaintiff and Mr. Jafferbhoy appeared for the defendants.

Mr. Jafferbhoy said that they had put in a written statement. They were in a position to prove that the plaintiffs had failed to give deliveries which they were bound to do under the contract. The market rates had gone up and the result had been a loss to the deceased. He submitted that their counter claim from the plaintiffs on account of this breach would amount to Rs. 4,500. Under the circumstances he applied for a transfer of the suit to the list of long causes.

His Lordship refused the application and ordered the suit to be put down on board on Monday next as a short cause.

Attorneys for plaintiffs: Crawford, Brown and Co.

Attorneys for the defendants: Dastur and Co.

MORTGAGEES' CLAIMS.

ANNANT K. JOSHI *v.* SIRDAR MANAJI RAJE.

This was a suit filed by the plaintiff who was a mortgagee of the first defendant. The plaintiff's mortgage debt was Rs. 5,000 and the plaintiff prayed for the usual mortgage decree and also a personal decree against the first defendant. Several properties had been mortgaged by the first defendant and the other defendants in the suit were prior and subsequent mortgages of one or other of the properties.

Mr. Kanga appeared for the plaintiff.

Mr. Bhandarkar appeared for the first defendant Mr. Moos appeared for the second and third defendants, Mr. Saffer appeared for the 4th defendant and Mr. Gadgil appeared for the 5th defendant.

Mr. Bhandarkar said that he admitted the mortgage and had no objection to the sale of the property and to a mortgage and personal decree being passed against his client. He said that there was no necessity for the other mortgagees to appear and make unnecessary costs.

His Lordship gave the plaintiff the decree prayed for and referred the suit to the Commissioner for ascertaining the amounts due to the various mortgagees. His Lordship ordered the first defendant to pay plaintiff's costs of the suit; but the costs of defendants other than the mortgagor and further directions were reserved.

Attorneys for the plaintiff: Patell and Ezekiel.

Attorneys for the defendants: Ardeshir, Hormasji, Dinshaw and Co.: Dubash and Co.: Mulji, Khabatta and Thakordas.

TO NEPAL'S CAPITAL.

A DOCTOR'S VISIT TO KATMANDOO.

Dr. M. L. Smith gives an interesting account of his recent visit to Katmandoo, the capital of Nepal. He says:—Having recently made a professional visit to Katmandoo, the capital of Nepal, I will give a short account of my trip.

An agent of the Government called upon me in Calcutta and told me that I would be expected to do dental work for the Prime Minister and his family only. A time was arranged to suit my own convenience as they were in no particular hurry. I left Calcutta on the 17th of May, via the East Indian Railway to Mokameh Ghat, where I was ferried over the river and took the Bengal Northwestern to the frontier station, Raxaul, arriving there about six o'clock, the evening of the 18th. There were three elephants waiting to convey my luggage, doolies for my two servants, and a palkie for myself. In an hour's time we were on the road. During the early hours of the night, we crossed the Nepal Terai which is not unlike the Darjeeling Terai, and soon were travelling up a dry river bed between high hills. This would have been a very unpleasant and hot journey during the day, but the open canework of which the palkie was made allowed free circulation of air. So it was not an unpleasant journey at night. By seven o'clock the next morning, we reached a rest house, having covered about twenty miles during the night. After an hour's rest I continued my journey on horseback, having had a complete change of carriers for my servants and a change of elephants for my baggage. We travelled another 20 miles that day, fully half of which were along a dry river bed where there was no sign of a road. However, in places we would find a fairly good road along the side of small streams. Three places in crossing little rivers, I found good iron bridges, one of which was probably constructed by some one of the big British firms in Calcutta but two have the name plate of the New York Bridge Co. The major part of this day's travel was over somewhat level country. High and rugged hills rose on both sides but there was little farming, the only crop in evidence being maize or Indian corn. The ryots were a lazy, shiftless lot, apparently far inferior to the ryots of Bengal. About 5 p.m. I came to a large village or town, the name of which I did not learn. The houses were constructed of brick with tiled roofs; water was laid on in pipes from the neighbouring mountain side, and there was some effort made towards having properly constructed streets. To that point I had been riding a very spirited horse, but I was told to have a change of horses there, and they gave me a very shaggy little mountain pony. The reason of this change was soon evident, for the next two miles' travel was almost as much towards the zenith as toward the north, the direction I was supposed to be travelling. I think it is no exaggeration to say that in two miles that ugly little pony carried me up six thousand feet. I had never gone up so steep a hill, and it was a revelation to me, for I had no idea a horse could carry a man over as steep and rocky a path as it was my lot to go. It was dark when I reached the rest-house on the hill-top, which was at an altitude of probably 7,500 feet; so it was very pleasant there and I did justice to a good dinner, as I had had nothing to eat since the early morning, and the comfortable bed which I found there was very welcome after my twenty-four hours of continuous travel.

HIS FIRST DANDY.

Next morning, I descended that mountain on the opposite side and over a fairly good road for twelve or sixteen miles through a well watered and fertile valley which I found producing good crops of wheat, rice and Indian corn. The farmers here seemed to be a more energetic and thrifty people. I passed through several little towns, all with well-built houses but very dirty streets. In the afternoon, after another change of horses, I crossed another high mountain, the ascent of which was not quite so steep, nor so difficult as the one I crossed the day before, but upon arriving at the top I was asked to dismount and get into a dandy which I found waiting there. I thought this would be a welcome change, for I was very tired of the saddle, but I did not then know what was before me. There were eight men to carry the dandy, one of whom held to a rope which was tied on to the back of the dandy. I have never seen a steeper descent and, as I had never before ridden in a dandy, I was considerably afraid some of the men might fall, and I felt almost certain that I would be precipitated to the bottom of the mountain if they did fall. However, they accomplished the descent of some 3,000 ft. without any mishap. The view I had when descending this mountain side was very welcome, as I could see the capital eight miles distant, located in the centre of a very fertile valley some fifteen or twenty miles in extent all of which was spread out like a panorama before me. At the foot of the hill, I found two splendid carriages awaiting me, so the remaining few miles of my journey along good roads was soon accomplished. By four o'clock that day I had finished my journey and had thus accomplished the 60 miles from the frontier station of Raxaul in two days.

A SECOND CALCUTTA!.

Katmandoo seems to have been laid out after a plan similar to Calcutta. It is on quite level ground, and has a beautiful maidan more than a mile in length, and half a mile in breadth. Along the side of this maidan are a number of public buildings among which were the two splendid hospitals, one for men and one for women, and the Government High School which was a splendid building, 360 ft. long and two stories high. Just next to this is the guest house where I stopped during my stay there, It was furnished in modern English style and I was supplied with every comfort and convenience. Just in front of the guest house was a large tank, walled in and surrounded by a park much like Dalhousie Square, Calcutta. At the opposite side of the maidan is a beautiful library building with a large clock and chimes in the tower. Near this is the electric light plant which is run by water power, the water being brought in from the mountains in underground pipes. On the maidan, are many statues of noted men of the country, fully as large and handsome as any I have seen in India. On a visit to the bazar, I found it to be constructed much more permanently than most Indian bazars. The streets are all paved and lit by electricity and well drained by underground sewers. In the evenings I found the streets swept perfectly clean so that I could walk about anywhere. Motor-cars and fine carriages are as plentiful in proportion to population as in an Indian city, and they do not seem to lack any moderen convenience or necessity.

PRIME MINISTER AND HIS FAMILY.

My first day there, I was bidden to the palace of the Prime Minister, there called the Maharaja. I found it to be a magnificent structure, three stories high, of most pleasing architecture and with a liberal amount of Italian marble used in its construction. It is most tastefully furnished with English furniture and is kept spotlessly clean. The Maharaja himself is a very pleasant man and speaks English fluently, as do his three or four sons. The days following, I had to visit the palace almost every day to work for the Maharaja and different members of his family. They are Hindus in religion, and the ladies observe a form of "Purdah" although they do not seem to be as strict as many Hindu ladies I have seen. Their dress is somewhat peculiar as I had never before seen anything like it. They wear a sort of trousers, somewhat like the up-country Mahomedan woman wears, only of very flimsy material which is plaited or gathered to lay in many folds, so giving the wearer a very "stuffed" appearance. A medium-sized lady requires a chair about three feet wide in which to sit comfortably and accommodate her costume. Walking seems much more difficult to them than it appears to be to the Western woman of fashion in the "hobble" skirt. I extracted "first" teeth for several little girls of the household who came in, dressed in a most elaborate style, supporting diamonds of some lakhs of rupees in value. One girl, not over nine years of age, had ear-rings each of three graduated diamonds, each over half an inch in diameter. They wore ornaments and flowers in their hair and had their lips painted bright red. I understood that two of these girls, about nine and ten years of age, were married but just what relation they were to the Prime Minister I do not know, and I did not think it policy to ask any questions. I worked for several little boys ranging in age from seven to fourteen years. Each of these boys had large diamonds in each ear but wore no other jewellery. They were all very interesting children and splendid patients. Unlike English children, each one was eager to be first in the dental chair. The sons of the Prime Minister, ranging in age from fourteen to twenty-five, except the eldest, all had magnificent displays of diamonds on the front of their caps which they wore constantly. The youngest son wore on his cap a circlet of closely set diamonds of about one caret size, three-quarers of an inch wide by six inches in length, above this an arrow four or five inches long and half an inch wide. There must have been some hundreds of diamonds on this one cap. All these boys dressed in semi-English style, only wearing the tight fitting trousers of their native costume.

I visited three or four other very fine palaces. I found all of them very clean and much more tastefully arranged than I find palaces in India. These palaces were surrounded with well laid out gardens, in two of which I saw large ostriches and other birds and animals. The Indian Government has a representative there known as the British Resident, and there is also a Residency Doctor who is an Englishman. The superintendent of the electric light plant is a European or Anglo-Indian. There are a number of Indians there but I believe there are no Europeans besides those whom I have mentioned.

My work kept me there eleven days and I returned to Calcutta in the same length of time as it took me to go up. I was never treated better on any trip I have taken professionally, and I have formed a very good opinion of the ruling class of Nepal.

ATTORNEY IN TROUBLE.

ALLEGED PERJURY.

SANCTION ACCORDED TO PROSECUTE.

The following is the full text of the judgment of Sir Lawrence Jenkins, Chief Justice of the Calcutta High Court, in the matter of an application made on behalf of the Public Prosecutor for sanction to prosecute an attorney against whom sanction was granted for perjury as reported previously in our telegraphic columns:—

This is an application under Section 195 of the Criminal Procedure Code for sanction to prosecute one Poresh Chunder Ghose, for offences alleged to have been committed under Sections 193 and 196 of the Indian Penal Code, in or in relation to a proceeding in this Court. Without such sanction no Court can take cognizance of these alleged offences. The proceeding was one under clause 10 of the Letters Patent heard by the present Bench. Though the application failed for reasons peculiar to it, the Court thought there were matters in the case which called for further enquiry with a view to possible criminal proceedings. Action could not be taken under Section 476, of the Criminal Procedure Code, for it has been decided that a Presidency Magistrate is not a Magistrate of the first class, a decision that discloses a defect in the law that stands in urgent need of amendment.

In the circumstances the papers were placed before Mr. Hume, the Public Prosecutor, for such action as he might think fit. As Public Prosecutor he has now applied to us, through the Standing Counsel, for sanction to prosecute.

Mr. Jackson has raised, on behalf of Babu Poresh Chunder Ghose, what he has placed before us, preliminary objections. The point is that Mr. Hume is not a Public Prosecutor. But Mr. Hume is the Public Prosecutor of Calcutta, and the course adopted in relation to him is in accordance with the established practice of this Court. Section 4 (t) of the Criminal Procedure Code enacts that "Public Prosecutor" means any person conducting a prosecution on behalf of His Majesty in any High Court in the exercise of its original criminal jurisdiction. Section 492 (1) provides that the Governor-General in Council or the Local Government may appoint, generally or in any case or any special class of cases in any local area, one or more officers to be called Public Prosecutors. Counsel cited this section and asserted as a fact that Mr. Hume had not been appointed. No foundation for this statement has been disclosed and it is absolutely incorrect, for there is a Government Resolution of July 6th, 1909, appointing him to this post. I have dealt with this matter at length because it questioned Mr. Hume's tenure of a public office of great and constant importance, but I do not wish it to be understood that, even if Mr. Jackson's erroneous assertion had been correct, it would have furnished any answer to this application.

IS BENCH DISQUALIFIED?

Then counsel declared that this Bench was disqualified because it was the prosecutor. What Bench could give the sanction he did not deign to tell us. But he quoted several English authorities in support of the proposition that no one can be prosecutor and judge in one and the same case. This proposition requires no authority in its support, and it has nothing to do with the application. This Bench is neither prosecuting nor trying an accused; it is merely considering whether the bar to the cognizance of certain alleged offences should be removed by its according the required sanction. Under the express terms of section 195 of the Criminal Procedure Code it is this Bench and this Bench alone that can give the required sanction. And before leaving this point of the case I must protest against the use attempted to be made of the judgment of this Court delivered on the proceeding under clause 10. Counsel read a passage from it and maintained that it showed that this Court had determined at that stage that there should be a prosecution of his client. We had not at the moment a copy of the judgment before us. Later we obtained the original and then we discovered that the passage had absolutely nothing to do either with his client or an application under section 195. It formed part of the concluding section of the judgment in which, without in any way dealing with the circumstances of the particular case, we indicated what we considered would be the proper procedure to follow, not in applications under section 195 but in future applications under clause 10 of the Letters Patent. This is obvious to anyone, and I cannot conceive how counsel should have attempted to use the passage in the way he did. That there was an intention to mislead the court I cannot believe, but that there was grave lack of care is obvious. Then it seemed to the learned Advocate that there had been an improper proceeding in connection with the application under clause 10 of the Letters Patent. That application had been before three judges. In the interval between the close of the arguments and delivery of judgment, and while the case was still pending, matters were brought to the notice of the Court which called for immediate enquiry, as, if true, it meant that a serious offence had been committed. One of our number was unable to attend Court owing to illness, necessitating his absence from Calcutta under medical orders. Delay would have been most undesirable, for it would have allowed the possibility of subsequent growth to the prejudice of the person implicated, and so the enquiry was conducted on the earliest possible occasion before the other two in the sense that witnesses were examined and cross-examined before them on oath. On the return of the third Judge this evidence was placed before him and considered by all three with the result that it was determined to place the papers before the Public Prosecutor. This evidence was, however, excluded from consideration in dealing with the application under clause 10. In our opinion Mr. Jackson's objection to this procedure is without substance and fails.

A FALLACY.

Mr. Jackson, having placed before us these preliminary points, left the discussion of the merits to his junior, who has presented to the Court this part of the case. Mr. Norton has analysed the whole of the materials before the Court and minutely discussed them, as also the crowd of decisions on section 195. In effect his argument was that we could deal with this application as though it were a trial, and therein lies its fallacy. We are not trying the guilt or innocence of his client; we are merely considering whether the statutory bar imposed by section 195 of the Criminal Procedure Code should be removed and the law allowed to take its ordinary course. That section provides that no Court shall take cognizance of (amongst other things) any offence punishable under section 193 or 186 of the Indian Penal Code when such offence is committed in or in relation to any proceeding in any Court except with the previous sanction or on the complaint of such Court. The section is expressed in the widest terms and vests in the Court an absolute and unqualified discretion. Not one jot can be taken away from or added to the plain and express provisions of the Legislature by any decision of the Court, nor can this discretion be vested by the section in the Court be crystalised or restricted by any series of cases; it remains free and untrammelled to be fairly exercised according to the exigencies of each case. The reports abound with expressions of opinion evoked by the peculiar circumstances of the case in which they arise. If they are all to be read into the section as of universal application, then the enactment of the Legislature will pass out of recognition. And if in addition to that we were to yield to Mr. Norton's arguments, we should establish that an application for sanction must be conducted on the same lines as the criminal trial, which may be its sequel. I cannot assent to this, and I prefer to take my stand on the section itself.

RULES OF PROCEDURE.

When a tribunal, it has been said, is invested by the Act of Parliament or by rules with a discretion, without any indication in the Act or Rules of the grounds upon which the discretion is to be exercised, it is a mistake to lay down any rules with a view to indicating the particular grooves in which the discretion should run, for if the Act or Rules did not fetter the discretion of the Judge, why should the Court do so? (Gardin *v* Jay L. R. 29 Ch. D. at 58 Bowen L. J.). And in the same spirit we find Lindley, L. J., declaring: "It appears to me wrong in principle for any Court or Judge to impose fetters on the exercise by themselves or others of powers, which are left by law to their discretion in each case as it rises." (Saunders *v.* Saunders, 1897 L. R. P. D. p. 95). So far from the section supporting the propositions for which Mr. Norton has contended, we find that in fact no notice need issue of the application, and the accused person need not even be named. And if the section is followed by a prosecution its validity cannot be questioned in the enquiry of the trying Court. There are, however, certain rules of procedure which any Court, exercising its discretion would regard, and pre-eminent among them possibly a compendious statement of all would be the rule that the Court will be astute to see that there shall be no abuse of administration of criminal justice. No one therefore would be permitted to use a penal law merely to satisfy his own private ends or personal spite, that would be to misuse it. Tracing this statutory bar back through the Criminal Procedure Code of 1882, 1872 and 1861 and the Regulations of 1817 and 1813 to the Regulations III of 1801, section 2, we find that this has been the underlying principle, and though its application may have been extended, it still remains the guiding rule. Every precaution to ensure this result has been observed in this case. The Bench thought that further enquiry was necessary as the result of what had come to light before it. In accordance therefore with the practice of the Court the papers were placed in the hands of the Public Prosecutor. He has considered them and after due deliberation has determined that the case is one in which he ought to ask for sanction. This he has done through the Standing Counsel.

A PERILOUS CONTROVERSIAL WEAPON.

The Public Prosecutor can have absolutely no personal interest in the matter nor has the Standing Counsel, and I regret as wholly undeserved the attack that has been made and (in my opinion) made without any justification on Mr. Hume. Much latitude is allowed to counsel in such matters, but abuse of the other side is at all times a perilous controversial weapon. Mr. Hume has conducted the criminal work of the Crown in Calcutta for more years than I can tell, and since 1901 he has held the important office of Public Prosecutor. The probity and uprightness with which he has discharged those duties have won for him the esteem of the Bench and it is with complete confidence in his absolute integrity that cases such as the present are entrusted to him.

Mr. Norton's more robust advocacy does not ordinarily exhaust itself on technical objections, but even he could not shake off the temptation of suggesting one or two. Thus he advanced the remarkable theory that, as the proceedings under clause 10 were quasi-criminal, his client was an accused and incapable of making a sworn testimony which could form the basis of a charge under section 193 of the Indian Penal Code. The objection is without foundation. An attorney can most certainly make an affidavit by way of answer to a rule issued against him under the Court's disciplinary jurisdiction and for a false statement in such an affidavit he is criminally liable. To hold otherwise would be to subvert the law as it has always been understood, and might have most mischievous results. I purposely refrain from discussing the merits of the present case: it would be wrong that I should. But I hold that the circumstances justify and demand the removal of the bar to cognizance being taken of the offences alleged and that sanction should be accorded for the prosecution of Poresh Chandra Ghose under sections 193 and 196 of the Indian P[illegible] Code.—The "Statesman."

PERPETUAL MEMORIAL FOR MEN WHO LIE.

QUAINT SEA DYAKS.

Lying is rare among the Sea Dyaks of Borneo, probably because it has unpleasant consequences.

The Rev. Edwin H. Gomes gives some curious examples of their standards of conduct in an article in the "Empire Review:

"So disgraceful," he says, "do the Dyaks consider the deceiving of others by an untruth, that such conduct is handed down to posterity to a curious custom. They heap up a pile of branches of trees in memory of the man who has uttered a great lie, so that future generations may know of his wickedness and take warning from it.

"The persons deceived start the tugong bula—'the liar's mound'—by heaping up a large number of branches in some conspicuous spot, by the side of the path leading from one village to another. Every passerby contributes to it, and at the same time curses the man in memory of whom it is.

"It has often been remarked by Dyaks that any other punishment would, if a man had his choice, be much preferred to having a tugong bula put up in his memory. Other punishments are soon forgotten, but this remains as a testimony to a man's untruthfulness for succeeding generations to witness, and is a standing disgrace to his children's children.

"In his jungle home, the Dyak is remarkably honest. Families are often away from their homes for weeks at a time, living in little huts on their farms and though no one is left in charge of their rooms in the long village house, things are seldom lost.

"Some Dyaks become demoralised by associating with other rcaes in the towns, but a case of theft among the Dyaks in their native wilds is indeed rare. I have not been able to discover any traditional law which fixes the punishment for theft. It has not been necessary to deal with the subject at all.

"With an experience of nearly 20 years in Borneo, during which I came into contact with thousands of the people, I have known of only two instances of theft.

"One was the theft of rice. The woman who lost the rice most solemnly and publicly cursed the thief, whoever it might be. The next night the rice was left at her door.

"The other was a theft of money. In this case, too, the theft was cursed. The greater part of the money was afterwards found returned to the box from which it had been abstracted.

"The Dyaks consider the refusing to entertain strangers as a great crime. In the Sabuyan River there is a collection of rocks said to be the inhabitants of a whole village, who were guilty of a serious breach of the law of hospitality, and refused to give food and shelter to some travellers. They were punished by the gods and turned into stones."

COWPER & Co.

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are symptoms of nerve irritation, often the result of OVER-WORK, ANXIETY, OVER-STUDY, MENTAL ANXIETY, and excesses of eating, drinking, or bodily abuses.

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A syrup of acid glycero-phosphates rich in organic phosphates, which after absorption into the blood, build up cell life and help to restore mental equilibrium, muscular vigour, and reinforced nerve power.

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WOMAN'S DOMAIN.

A Weekly Causerie.

By Mrs. John Gilpin.

I have had wails from one or two correspondents about the difficulty of getting servants; and the wages they are demanding; and what should they do; pay the higher wages or put up with inconveninence in the hope of getting servants for the wages given in the neighbourhood? Now this is a subject on which I feel very strongly and about which I often hold forth to newcomers, so I am quite ready to dilate upon it now. The fact of the matter is, that we others have to thank the ignorance on the calluousness of a few housewives for the ever rising of the wages, and I think it is extremely unsporting not to stand shoulder to shoulder with other Mem-Sahibs in this. It is only by combination that we can hope to keep expenses within bounds, and I feel very strongly that it is the duty of all of us to stand by one another. Whether you have Rs. 800 or twice or treble that, a month, you should consider that Mrs. 800 has to pay almost the same for her rent and domestic staff as Mrs. 1500 and a rise of two or three rupees here and there is a serious matter to Mrs. 800 who has all she can do to make both ends meet. So Mrs. 1500 should think of this, and not, for the sake of saving herself a little bother, give in to the demands of these people and, incidentally, at once raise the wage standard. New arrivals would do well to make enquiries before taking on their staff, for it is hardly to be believed how some of them are cheated, and at the same time shockingly served. The stories are too personal or I could tell some which would seem real fairy tales in this connection, had not they come under my personal knowledge. Some people I know, arrive out here not knowing a soul; still it should be possible to get *some* information before embarking on a course, from which they find it hard to extricate themselves when they at last realise that they are paying more than double for the unkeep of their establishments than the average householder is. It by no means follows either that you are better served for paying outrageous wages; indeed it is quite the contrary, for the servant only holds you in contempt for being so gullible. I have heard my own servants discussing the households of other ladies sometimes and have been astonished at their very accurate summing up of the situation. Not that I ever for a moment gossip with my servants; it is a most unseemly and undignified proceeding, but in flats our servants are not far off, their voices are not very quiet and I have sharp ears, and if I hear something which suddenly attracts my attention, I do listen sometimes to what they are saying. The Indian servant is a capital one if he knows that he has to carry out certain duties for which he alone will be held responsible, and he respects the Mem-Sahib who looks into things and sees that the members of the staff are keeping up to the mark. But, they hate what they call "kit-kit," which is constant scolding and nagging; they take a regular blowing up philosophically enough, and rather admire it, but nagging—no. They will speak with the utmost scorn of someone who is a "kit-kit" madam.

PLAYING THE GAME.

To return to what I began this letter with then, it seems to me that it is only playing the game by your fellow housewives, to take a little trouble to find out the ordinary scale of wages and the custom in regard to food and such like. One lady I know of, has for months supplied her whole staff with bread milk (*quantities* of that) sugar, tea because her butler said that was the custom here. You can imagine that the servants of the other residents in the block soon demanded the same from their mistresses, and there was a regular revolution for the lady in question, whose bills for milk and bread were absolutely fabulous. It was costing her exactly double to run her household what it should have. A very sensible friend came to the rescue. She had the whole staff up and asked the butler before them what was the custom in other households, and at last he had to own that it was not as he had told his lady, who dismissed him then and there; the friend gave the others a dressing down, procured a more honest head servant, and things have been going on in the usual way in that household since. I forgot to say that she was paying her hamal twenty-two rupees a month, and the rest in like proportion! It was lucky, in this case that there were ample means, or things might have been rather serious. It is inevitable that you should buy your experience,—we all have to,—but you should look to it that you do not buy it unnecessarily dearly. It is not playing the game by the husband and all the other women who have to struggle to cut an expensive coat out of an inadequate supply of cloth. It is the many "mickles" that make the "muckle" and make you wonder how it is that the monthly expenditure is slowly on the upward grade, and yet your mode of living has not altered. I hvae never known eggs the price they have been lately for instance, and there seems no reason for it as there has been no famine or shortage to account for it. I remember years ago when we had to pay four annas a dozen;—the first plague year it was, we all felt as if the heavens were falling, and now here they have been up to eight, and none too good at that. I would therefore urge on all housewives to do their utmost to make a stand against the demands of the domestic servants for constantly larger wages, and so help those to whom it matters more than it does to you. Do not spoil your servants either; there is the happy medium between harshness and spoiling, which if estabilshed, makes for the peace of the household in a wonderful way. A tactful word of praise now and again is most useful, and consideration in little things, interest in their affairs and so on that will suggest itself to any one who takes her home seriously. Gossip and familiarity breed contempt, especially in the case of an ayah, who is always a disturbing element in a household; a great deal because their mistresses have permitted them to bear tales and keep them supplied with gossip which is generally very far from true.

AN AMUSING STORY.

I was told rather an amusing story the other day about a lady who is constantly changing first one and then another of her servants—she must have had over twenty in the last year, by a friend of hers who had received a piteous letter asking her to find the lady in question a hamal. The friend happened to know of an excellent man, whose master had just left for Australia, so she sent him with a chit and told him to ask the usual wage, etc. He brought back a chit from the lady, in which she said he had asked such wages that she could not possibly give them even to secure a good man. Whereupon the friend asked him what he meant by it, to which he made answer that he had purposely asked ridiculous wages that he knew she would not give, because he did not want to take service with her, as she was always changing servants, and *he* would get a bad character if he had a chit for a few motnhs only. It was so typical of the methods of the servant, he would not tell the friend that he would not go for fear of offending her, so worked the affair in his own devious way.

HOW TO CLEAN CARPETS.

Now the clouds are clearing away with the finish of the rains, we are feeling the full heat of the sun's rays, which brings home to us what a blessing it is for us that through all these hot months his rays have been tempered by the rain clouds. To me, October always seems the hottest and most trying month, as there are not the same good breezes there are almost all through May, and the whole place is like a wet sponge after the rains, and the sun's heat draws the moisture from the ground with the result that the whole atmosphere feels steamy, like a Turkish bath. Last week I had a house-cleaning, and all the carpets taken up and beaten. When they were put down they looked a bit shabby and dirty, so I used my favourite remedy, with the result that they look quite fresh and rejuvenated. It is so easy and inexpensive too. To each pail of water add two tablespoonfuls of boracic acid powder, mixing it well in a little water first, as it is so light it will not quickly dissolve in a large quantity. Then make the coolies scrub the surface of the carpets with large clean rags, wrung out rather wet from this mixture so that the top of the carpet feels quite damp. They must rub well, constantly rinse out the cloth, and the water must be changed as soon as it shows very dirty. Then stand all the doors and windows open and let the wind dry the carpets well. It is quite miraculous what an effect it has in brightening up the colours, and the effect is lasting too. I have mine done once a year only, generally at this time, when the rains are finishing and everything seems to want furbishing up. The chics want renewing, too, and if you will take my advice you will have nothing to do with the ordinary chicwallah, who uses such poor quality string that your chics go to pieces in no time and you have to get more, which is just what the gentleman has schemed for. Also they are most extortionate in their demands. Carefully measure the sizes you require, and get them made by a well-known firm who lay themselves especially out for all furnishings; they will be made of the best material, with the bamboos straight and of even thickness and you will actually pay less than to the chic-wallah, with whom you will have to haggle, and then get served badly. I have some in excellent condition, that have been in constant use that this firm made for me in 1906! I find it pays to buy some (As. 4) tins of dark, green paint down in the bazaar, and paint them well with two coats before putting them in position; they look better, the light through them is much pleasanter, besides they last much longer. If you have large carpets about, even on a tiled floor it pays to have matting underneath, but on a cement or broken china flooring it adds many years to the life of the carpet besides keeping it much cleaner; the matting forms a sort of sieve through which the dust filters instead of remaining in the carpet and getting ground into the fabric. My goodman detests small carpets and rugs thrown about, he says they are always tripping you up and he does not like the effect; so as I had not the money to buy a large carpet bran new, I haunted auction sales till I saw anything that might suit me, and it went at anything near the price I felt it was worth and that I could afford. It required patience, but in the end I obtained what I wanted for a really absurdly small sum because it looked so very shabby and had a few holes in it, which I knew would be covered in my room. I spent five rupees in getting these holes mended and had it well beaten and cleaned with boracic acid; and though I have had it in use these last six years, I could sell it at any moment for four times what I gave for it. It is large size, too, 13 by 16 feet, which is rather unusual. That is why I said in one of my former letters that you can get most things you want at a moderate rate at auction sales if you have patience and keep your head. I must have seen half a dozen carpets I should have liked go above the price at my command before I obtained this one, which happens to suit me better than any of the others; it *did* require self-control once or twice. Next week we will have a little talk about Cream and Water Ices which a correspondent has asked me to discourse upon.

MARRIAGE AND LONG LIFE.

BATCHELORS AT A DISADVANTAGE.

Statistics collected by the Federal authorities in America, and edited by Professor Wilcox, of Cornell University, show conclusively (says the New York correspondent of the "Daily Telegraph") that married men have a much beter chance of life than batchelors. The advantage is greatest in middle life, but at all ages before eighty it is marked.

From twenty to thirty the death-rate among Benedicks is 4.2, as compared with 6.6 among batchelors. In the decade following it is under 6, against nearly 13. Between forty and fifty the married man is better off in the proportion of 9.5 to 19.5. From fifty to sixty his margin of superior vitality is 11, and in the ten years up to his allotted three score and ten years it is much as 19.

Commenting on these figures, the "Journal of the American Medical Association" observes that some allowance must be made for the fact that men of bad or indifferent health are not willing to assume the burden and responsibility of a family. It is certain, however, that the regular life of a married man, the care bestowed upon him by his wife, and his avoidance of unnecessary risks are all important factors in retarding his journey to the grave. At all ages the statistics show that unmarried men die at a rate almost twice that of the married men.

Women, oddly enough, seem to gain less by wedlock. Between twenty and thirty, owing probably to the dangers of childbirth, the death-rate of wives is higher than that of spinsters by 5 to 4. These figures are misleading, however, 'because, while the "girls" in this group include all between twenty and thirty, comparatively few of the wives are under twenty-five. In the more advanced ages the wives have some advantage over the spinsters, but not so much as the husbands over batchelors.

As to suicides, four-fifths are unmarried, but, it is added, "small means and small hope of wedded life are apparently the chief contributing cause."

SERMONS IN GRAMOPHONE. FORBIDDEN.

"The Chief Commissioner of Police of Ivanovo-Voznessensk, in the Government of Vladimir, has issued the following order to his subordinates," says *Darkest Russia*:—

"According to a communication from the Senior Procurator of the Holy Synod, sectarianism, which has recently undergone considerable expansion, has now adopted a new and most dangerous method of propaganda. In certain stores gramophone records are being sold which reproduce the sermons of the Baptist Stepanoff on "The Living and the Dead Faith" and "The Worship of God in the Spirit and Truth" and which find a ready sale.

"These records attract attention, with the result that sectarian preaching is heard and makes an impression whereever gramophones are to be found—for instance, in tea-rooms, beer-houses, inns, and private houses. Since this method of propagating the false doctrine of sectarianism presents a grave danger to the Orthodox population, acting under the instructions of the Governor of Vladimir, dated July 5, I order the executive officials to take steps for putting a stop to the sale of gramophone records which reproduce sermons of sectarian teachers."

THE MOST GRACEFUL ACT.

A good subject for a dull-season discussion (says the "Manchester Guardian") would be what was the most graceful act you ever saw. As a contribution to such a discussion this would, I think be hard to beat. A lady of much charm, who is a strong vegetarian, had been living some time in a Somerset village. When she was leaving the village she received some little gifts from the villages. The most beautiful was a fine bunch of roses sent to her by—the local butcher.

SISTER NIVEDITA.

STORY OF A DEDICATED LIFE.

"Studies from an Eastern Home." By the Sister Nivedita (Margaret E. Noble). Prefatory Memoir by S. K. Ratcliffe, Longmans. 3s. 6d. net.

This is a book which would be read with deep interest for its author's sake, even if it were not so charming and intimate as it is in its appreciations of Indian life, past and present, observes Mr. Robert Lynd in the "Daily News." Sister Nivedita (or the Dedicated), as Margaret Noble was called after her admission into the Order of Ramakrishna, was one of the extraordinary women of modern times. Born in Dungannon in the North of Ireland in 1867, the great year of Fenianism, she began her active career as a schoolmistress in England, and was running a school of her own at Wimbledon by her twenty-fifth year. It was not till three years later, however, that the great conversion, or change of mind, took place which was to separate her so splendidly from her fellows—at least, from her fellow-Europeans. It was in November, 1895, that she met and disputed the influence of the Swami Vivekananda, "the first of the modern missionaries of Hinduism to the Western World." Disputed, but not for long. She "fought him in the discussion class, provided indeed the strongest antagonism which he had to meet at any of his London gaherings. But it is clear that from the first his influence was winning."

It was the Swami who put Margaret Noble on the path which led to her becoming one of the most fervid and spiritual Indian Nationalists of modern times. His own ideal, so far as one gathers from Mr. Ratcliffe's finely sympathetic introduction, was not directly concerned with politics. He wished first of all to found the Order of Ramakrishna, and this was to be an Order combining contemplation with social service. "He would, if he could, have commanded vast resources for educational enterprise, and he was resolved to initiate some definite agency for the education of Indian women." As an educationist by taste and a religious woman by genius, Margaret Noble found in the plan of the Order an irresistible call, and by the beginning of 1898 she had arrived in Bengal and been admitted into the Order of Ramakrishna by her adopted name. Henceforth she became more Indian than the Indians themselves. "She was in fact," said Mr. Rabindranath Tagore at the time of her death, "a mother of the people. . . . When she uttered the words, 'Our people,' the tone of absolute kinship was not heard from any other among us."

A HINDU SCHOOL.

Not that Sister Nivedita's educational schemes were from the first a success. Her first project, which was to set up an Indian school in the Hindu quarter of Calcutta, had to be given up as a failure. It was not till 1902 that, along with an American colleague, she entered upon her great work at the school in Bose Para-lane, Bagh Bazar. Here she took her pupils into no foreign world. She educated them entirely in terms of their own world, indeed, quarrelling with no Indian orthodoxy either in social life or in religion. She herself became an Indian, as it were, for their sakes. "Accepting the lot of the Indian woman, living as her neighbours lived, in a little house severely devoid of all inessentials, she worked among them in all seasons." Her conquest of the Indian heart by this life of supreme renunciation is beautifully suggested by Mr. Ratcliffe.

At the same time, Sister Nivedita was no sentimental foreigner, no uncritical enthusiast, in her attitude to the Indian people. She summoned them to Nationalism, not because she thought them perfect, but because she thought Nationalism would take them a step nearer perfection. "No one would call her gentle," says Mr. H. W. Nevinson, in the course of a vivid tribute, and he tells us further that "she was at once destructive and creative, terrible and beneficent. . . . Even with friends her disagreement could be vehement, and her contradiction was very direct. In face of the enemy her eyes turned to glowing steel, and under anger they deepened in colour, like Garibaldi's." There you have the portrait of the genius of heroism in all ages—at once "terrible and beneficent"—though gentleness often brings a radiance, but never sentimentality, into the picture.

NIVEDITA'S CREED.

Such, then, was the woman to whom India (and, through India, the world) owes so much noble inspiration. As for her creed of Hinduism, it was a religion and not a sectarianism with her. She had learned from study of the life of Ramakrishna, in her own words "the entire sufficiency of any single creed or conception to lead the soul to God as its true goal."

"Henceforth," she wrote, "it is not true that each form of life or worship is tolerated or understood by the Hindu mind: each form is justified, welcomed, 'set up' for its passionate loving, for evermore. Henceforth the supreme crime for any follower of any Indian sect, whether orthodox or modern, philosophic or popular, shall be the criticism of any other as if it were without the bounds of the Eternal Faith."

In the light of a life so intensely original, so full of the beauty of self-devotion, the "studies" which Mr. Ratcliffe has brought together in this book have a double attractiveness. Some of them are slight enough—the veriest footnotes of history and place. But all of them are written in a style graceful and sincere, and a real fire of imaginative sympathy burns through them. How well the author communicates the atmosphere of the Hindu quarter in Calcutta in "Our Zenana Terrace," where she declares of the irregular house-fronts that "everywhere their dress of whitewash gives these substantial Indian buildings a look as of tall persons, decorously wrapped from head to foot in the white and unsewn garments of the East, or, mayhap, at the clear, black mid-night, thrills one with a suggestion of the pale and sheeted dead!"

Other essays, like "The Hindu Widow and the Zenana," reveal to us the intimate life of the Indian home, where "it is rare indeed for the mother to permit herself the luxuries that she dispenses to those around her." And "The Plague" is a faithful record of impressions of a great horror. In the course of it, it is interesting to note, Sister Nivedita breaks off optimistically to prophesy blessings to come from the catastrophe in the shape of democratic equalities that will sweep away the evils of caste. Her book brings India home to the simple sympathies, as can be said of few books about the East. I can imagine no one failing to find some pleasure in its pages.

SCIENCE FOR SHOPPERS.

EXHIBITION AT SELFRIDGE'S.

The idea of running a scientific exhibition right in the heart of a gigantic emporium is at once on attractive and original one, says the "Pall Mall Gazette."

From to-day until August 23 visitors and customers to Messrs. Selfridge and Co.'s building will be able to wander freely around the exhibition which has been arranged in the Palm Court on the fourth floor.

Here are gathered over one hundred exhibits of the very latest kind of apparatus used in science, and appliances used in modern business. Some are working exhibits, and these, with those which are simply on show, will be readily and fully explained by qualified assistants.

In the theatre adjoining the Palm Court X-ray photography and high-frequency currents will be displayed by a well-known firm, and the demonstrations on cold light and liquid air are bound to have more than a passing interest for the hundreds who witness them.

GLASS BLOWING.

The glass-blowing exhibit will produce many souvenirs for those who attend each afternoon to see the manufacture of various chemical apparatus and small fancy articles. Near by are working models of all kinds, showing how artesian wells are bored, how organs are blown by pneumatic and electric action, how the news of the day is sent out on the tape machines, and how newspapers are set up by the linotype.

The intricacies of the working of both a manual and an automatic telephone exchange will surprise many a subscriber, whilst a skeleton motor chassis, electrically lit so as to show all the parts in action, is an attraction.

The greatest novelty of all is the installation of a wireless station by which messages cannot only be sent from one part of the building to another, but can be received from France and other long distances. The aerials are fixed on the flag-posts which are feature of the building.

In the microscope section the latest pattern instruments will give ample evidence that there is more in most things than meets the eye.

MATTERS DOMESTIC.

In matters domestic the organizers of the exhibition have provided for demonstrations of cooking by electricity, and a little machine which butters the bread, cuts the slice, and deposits it on a plate in one operation must not escape notice.

Time-saving appliances in business equipment are included, and visitors should obtain one of the neat and complete catologues which the firm has complete catlogues which the firm has produced.

THOSE WHO CAME TO SCOFF REMAINED TO BLESS.

This is what happened in the High Court of Judicature at Bombay where Justice Coram Howard, I.C.S., in delivering judgment against an imitator of SQUIBB'S AGUE SPECIFIC remarked: "In fact the sales and reputation of Squibb's Ague Specific are hardly denied even by the defendant's witnesses." Remember Squibb's is an undeniable cure for Malaria and other fevers. Of all Chemists.—MADON SONS and Co., Crawford Market, Bombay. 'Phone No. 706.

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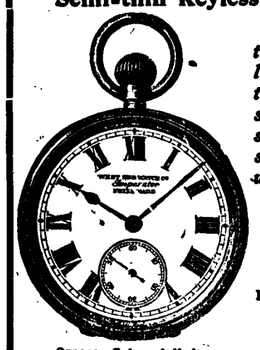

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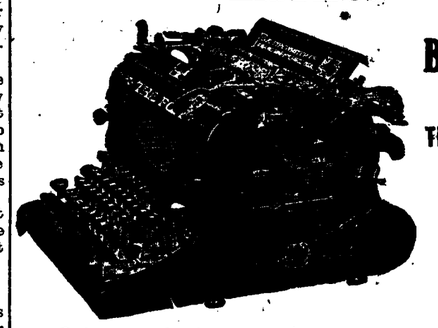

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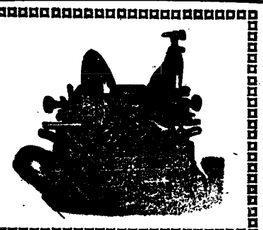

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89 5	88 8	75 0	810 x 90	61 8	68 0	64 7
0 0	100 8	86 4	760 x 100	70 0	77 4	0 0
0 0	107 8	93 8	810 x 100	74 8	82 12	0 0
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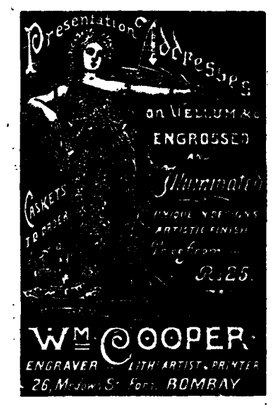

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